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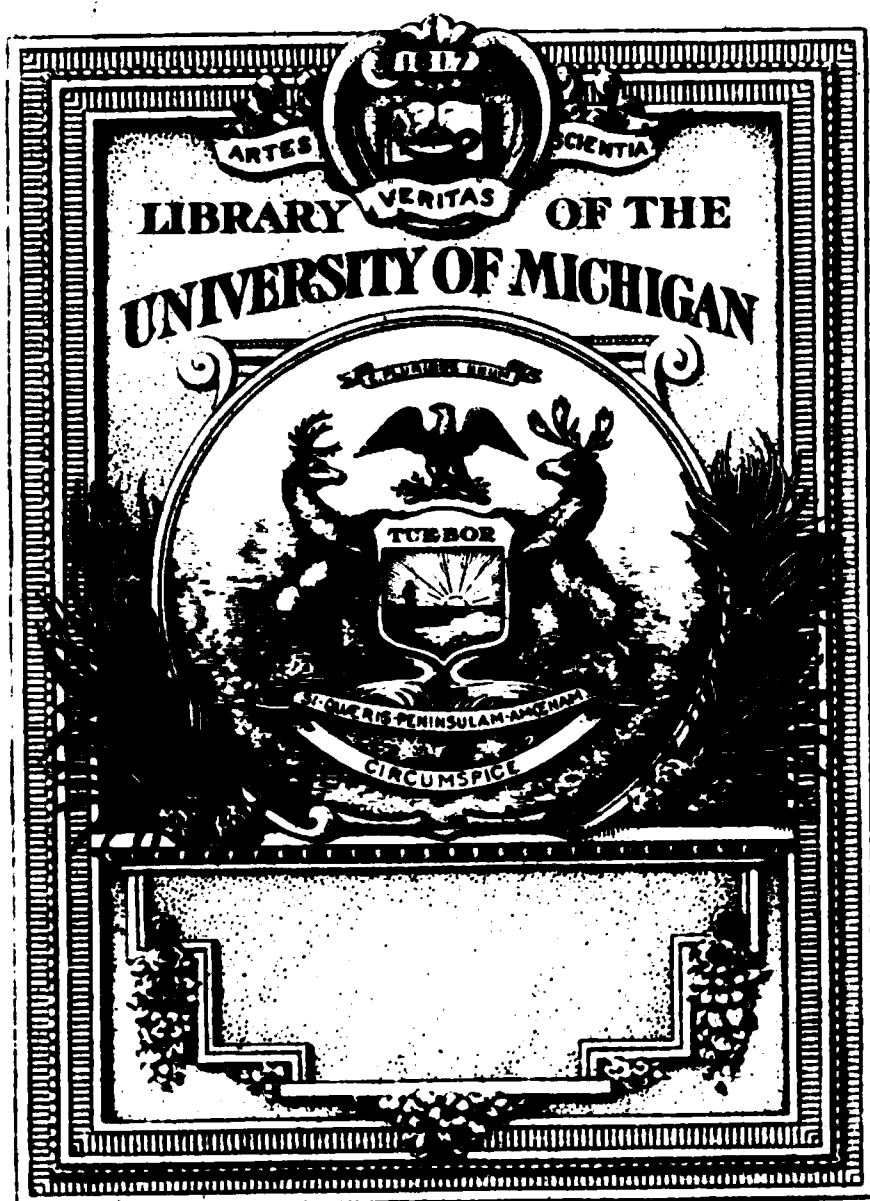
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A N
E X A M I N A T I O N
O F T H E
L E T T E R S,

Said to be written by

M A R Y Queen of S C O T S,

t o

J A M E S Earl of Bothwell:

S H E W I N G

By intrinsick and extrinsick Evidence,
that they are FORGERIES.

A L S O,

An Inquiry into the Murder of King *Henry*.

By W A L T E R G O O D A L L.

Pandere res alta terrâ et caligine mersas;

V O L. I.

E D I N B U R G H:

Printed by T. and W. R U D D I M A N S,
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ERRATA.

VOL. I. Preface, page vii. l. 7. for *never* read *ever* ;
p. xi. l. 17. expunge the word *this* ; p. 62. l.
21. read *furnish* ; p. 75. l. 16. read *received* ; p. 103.
l. 5. for *some* wholly, r. *since* wholly ; p. 189. l. 14.
r. *encouraged* ; p. 212. l. 8. r. *having* taken ; p. 224.
l. 3. for *7th* of April, r. *12th* of March. See p. 273.
l. 19. P. 314. l. 11. for *he*, r. *her* husband ; p. 345.
l. 15. read, who was in *London*, and but lately released
out of the tower there, in which she had been kept pri-
soner by good Q. *Elizabeth*, from the time it was first
reported that the Queen of Scots was to marry her son,
till after he was got murdered.

VOL. II. p. 24. l. 29. for *ces*, read *ses* ; p. ult. l. ult.
for vi. r. 17.

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V. 1

T H E

P R E F A C E.

HA V I N G formed a design of writing the life of MARY Queen of Scots; my first care was to collect a considerable quantity of original and authentic papers, relating to the more important transactions during that period : And, when I began to range these in some order, and to weigh their importance, how far they might tend, jointly or separately, to clear doubts or controversies about any material transactions or facts that have hitherto continued to be points of dispute, I soon perceived that the chief controversy, still so keenly kept up with regard to the conduct of that Princess, namely, Whether she was guilty of her second husband's murder, was a matter that might be easily settled with certainty; and required neither so great labour, nor so deep
a disqui-

disquisition, as hath been commonly imagined.

At the same time I found that most of the other remarkable events during her life and reign, had both arisen from causes and motives, and been conducted in a manner quite different from what is related either by our own historians, or those of our neighbouring nations. But to give a detail of the whole, and to support all by proper and sufficient vouchers, is a task of no small labour and difficulty, as every one will perceive, who considers the great and strange events that then happened in our kingdom : The wars with the *English* : The murder of Cardinal *Beaton*, at the instigation of the court of *England* : The reformation, begun upon the Queen's first marriage : The domestick insurrections, supported by foreign succours, by which that reformation was established : The rebellion on occasion of the Queen's second marriage : The murder of her secretary for foreign affairs, in her very presence : The King's murder : The rebellion upon her third marriage, by which she herself was dethroned and imprisoned : Her escape, and her flight to *England* ; and the abominable confederacy betwixt that nation and her own rebels, in order to blacken her with her husband's murder, at their wicked sham conferences : The management

management of these conferences: The civil wars that afterwards arose in *Scotland*; and, lastly, the murdering of the Queen herself in *England*: These form a chain of very extraordinary events, every link forg'd by dark contrivance; and the events themselves so unusual, that it is hard to conceive how they could have happened. Some of the former parts indeed have been very well handled already by Bishop *Robert Keith* in his *history of the reformation*: But even during the period of which he treats, there still remain in the dark a great many things that are very necessary to be known, tho', whoever will attempt the clearing them, will find himself extremely beholden to the Bishop's labours.

My necessary avocations, and other reasons, have not hitherto left me leisure to prosecute all these things in a proper manner, which nevertheless was, and still is my intention, if it shall please God to continue my life and health. But because I am not certain how soon I may be able to do the whole, I thought it might be acceptable, in the meantime, to attempt that momentous point concerning the Queen's guilt in the murder of her husband, and to cut, or rather untie this puzzling knot, which has been esteemed, as it were,

were, the chief circumstance upon which the whole history is made to depend.

A second reason that determined me to this enterprize, is, that altho' one were possess'd of leisure sufficient for the whole, yet whoever would undertake it, must find himself obliged to endeavour in a special manner to have that matter set in a clear light ; which yet by its very nature cannot easily be performed, to one's conviction, in pure historical narrative, but rather requires to be done apart ; because, in the light wherein it appears to me, it is to be attempted by a kind of obvious and easy criticism, and not by declamation.

For the resolution of that dispute depends entirely upon another question, *viz.* Whether some paltry *French* letters, which the Queen's traitors swore to be written by her, are genuine or not : And behold, upon examination, to my great astonishment, I discovered in them more ample and palpable marks and evidences of forgery, than one could readily have imagined. Upon further enquiry, I found another separate and independent proof of the forgery, from the publick records. By them it appears, that the Queen had not yet come to *Glasgow*, when the first letter, had it been here, behoved to have been written from thence ; nor did she in the whole tarry there so many days as are plainly mentioned in that letter as past. She only

The P R E F A C E

iv

ly arrived at that town upon *Saturday* the 25th of *January*, and in the morning of that very day is the second letter dated from thence.

These letters were the only proof that the Earls of *Murray*, *Morton*, and *Lenox*, did ever pretend to have against the Queen; and on them alone the whole stress of the cause resteth to this very day. Of what importance they were esteemed, and what pains were taken to fix them upon Queen *MARY*, not only by these men, but also by *Q. Elizabeth* and the court of *England*, may well appear by the many papers in the appendix here subjoined; almost all of which are principally designed to that end, or relate to these letters one way or other. And ever since that time, all these who, through interest or prejudice, have laboured to defame the unfortunate Queen; have regarded them as most precious jewels which they wou'd not, on any consideration, have parted with.

Of this we have a remarkable instance, from a kind of society in and about *Edinburgh*, formed about xxxvi. years ago, and whose profess'd purpose was to decry the character of that amiable Princess. This was the very bond of their confederacy: This the only scope of their institution. These men, in an abridgment of their long labour, that is handed about, give us an account of their performance;

formance; and the specimen of their third book begins thus:

“BOOK III. An account of the Earl
“of *Bothwell*; how he came first into the
“Queen’s favour, after the death of *Rizis*,
“Her inordinate love for him, and hatred
“of her husband. A narrative of their a-
ss-mours; and the reasonable suspicion of
“their joint conspiracy against the King’s
“life; with the steps that were taken to-
wards his murder.”

“Here, say they, the letters that passed
“between Q. MARY and *Bothwell* are to
“be mentioned, with the subject and im-
“port of them, to *prepare* the reader for the
“discovery that was made before the *En-*
“*glish* commissioners, at the conferences
“held afterwards in *England*; where fur-
“ther notice will be taken of these letters.
“There will be a more perfect and exact
“account of that murder than has been hi-
“therto published; with several circumstan-
“ces and events that followed, &c.

At how great expence would some be plea-
sed to purchase all these mighty discoveries!
And yet, such is the incredulity of some a-
mongst us, and these too, in other respects,
neither owls nor buzzards, that they will not
allow, that any of these things can be made
appear; but are ever and anon crying out,
with

The P R E F A C E. vā

with those hardened men, Q. MARY'S commissioners, in their answer to *Murray*; " That
" these horrible facts were neither then, or
" since ever proved; nor shall at any time
" hereafter be proved." Alledging besides,
" That these men neither had, nor have, nor
" never will have any thing to say to the pur-
" pose; but that all, on their part, is more
" empty bravade, or, at most, an impotent
" attempt, as the proverb has it,

To help their lame dog o'er the stile.

The society will no doubt do themselves justice, if these Men have injured them. As for me, I draw in the same yoke with themselves, even to *prepare* the reader for the letters, and the discoveries made in *England*.

But the bare mentioning these letters will not now, I presume, be found sufficient, unless they can also defend them. They will therefore at last find themselves constrained in honour to take up the labouring oar, and stand on the defensive: Or, if they are not able to manage it, their integrity should oblige them to disclaim their letters, as publickly at least, as they have defamed the best of Queens by their believing in them.

Some persons belonging to that fraternity have been very importunate with me
about

about this matter; one calling loudly, that I should, without delay, produce for his satisfaction what I could say against these letters: Another threatening what he would do, if I durst appear against them; and a third would needs before hand answer what I had to say. They may take what method shall to them seem best; for that is all one to me: But they must excuse me for thinking, that as I had then made no promise to that effect, either to them or to any body else, they had no right to call upon me in their manner. Their demands however are at last complied with. I have exposed these letters, in all the languages in which I could find them, to the view and scorn of men, and have pointed out the most material marks of the forgery that occurred to me, which I wish may be done to their satisfaction.

I had purposed to meddle with nothing at present besides the letters, as the reader will readily perceive, because in the collection at the end, he will find no papers relating originally to other matters. Yet by persuasion of those whose judgment I much esteem, I have added somewhat further concerning the contrivers and executors of the murder of the King; and whether it is likely, or probable, that the Earl of *Bothwell* was either principal or assistant in that fact: As also

The P R E F A C E. ix

also, a brief account of the conferences at *York* and *Westminster*, which had been imperfectly and unfairly published by *James Anderson*; who hath given nothing of them after the 21st of *December*, excepting the protestation by the Earls of *Huntly* and *Argyle*, with *Murray's* shuffling answer, which he thought would be sufficient to refute it. So that with him are not to be found;

1. The answers to *Murray's* solemn protestation, and to his accusation of the Queen, called *the eik*.

2. The accusation of *Murray* and his complices, for murdering the King.

3. The challenges that past betwixt them and Lord *Herries* upon that account.

4. The shifts and evasions used by Queen *Elizabeth* and the court of *England*, in conjunction with *Murray*, to smother or palliate that accusation.

5. The papers by which it appears that neither Queen *MARY*, nor her commissioners could ever obtain a sight of these letters, nor yet copies of them, tho' they several times demanded them of Queen *Elizabeth* and her court.

6. He conceals *Cecil's* projects, dated the 22d of *December* and 7th of *January*, which disclose no small matters.

The P R E F A C E.

And even before the time at which he breaks off, he omits,

7. *Murray's* Note to *Middlemore*, the 8th of *June*, reciting his former offer to bring his accusation against the Queen his Sovereign and sister; his doubts of the sufficiency of the very letters to *Bothwell*, for verifying his accusation; and telling how he had, even before that time, sent a translation of them to *London*, to be considered there, whether they might stand or fall; prove or not. Then making a bargain with Queen *Elizabeth*, that if she will keep him in the government of *Scotland*, he will lead the accusation, and endeavour to prove it, in order to give *Elizabeth* a pretext for detaining Queen *MARY*, and at last murdering her.

8. With the like ingenuity he passeth over *Q. Elizabeth's* letter to her commissioners, 16th *October*, in which she plainly opens her resolution before-hand, that Queen *MARY's* cause should have no good success, discharging them however to let the *Scottish* Queen's commissioners come to the knowledge thereof.

9. He gives not the instructions at large to Queen *MARY's* commissioners, either those by the Queen herself, or those by the best part of the nobility of *Scotland*.

Now these papers, besides other things less material, by him wholly omitted, do make by far

far the most valuable part of these conferences. I will not affirm that he knew of them all: But he certainly had as many of the best of them in the very books and bundles from which he took the rest of his collections, as would have quite unraveled their whole mysterious proceedings and wicked devices, of which he gives us not so much as one. And not only so, but in his prefaces and observations, he gives several dark insinuations in matters where he thought it not safe to speak out plainly, all pointing against the Queen, or her most faithful commissioners or adherents. Of this cunning management, the society of which we spoke already, do complain; “because, say they, the meaning of his short
“notes and observations cannot be easily un-
“derstood, but by such as are pretty well
“versed in the affairs of that time; he ha-
“ving made no particular application of
“them.”

Who would not have expected better things from a man who gravely tells us*, “That
“all faithful historians and publishers of hi-
“storical transactions, ought in matters of
“fact, to lay aside all partial regard to reli-
“gion, country, interest, prepossessions, par-
“ties, or other views; and pay their intire
“devotion to the altar of truth.— For,

* Vol. I. end of the preface.

“ notwithstanding all art and opposition whatsoever, truth will at last prevail.” Whatever it may do at last, it is certain that some of the most flagitious of the sons of men have been represented as saints, and some of the best run down as profligates, who must ly under that imputation till the end of this world, as all means of vindicating them are perished. Thus it hath been, and thus it will be among men, till avarice and ambition have an end.

For these causes I thought it necessary to give those conferences fully, in order to open the eyes of such as have been imposed upon by this gross disingenuity : Which obliged me, contrary to my first intention, to croud more papers into this one small volume, than he has in his four large ones.

If it should be objected, that at this rate one can never be secure of coming at the truth, as he cannot certainly know but there may still remain more concealed writings that might make for *Anderson*, in the same manner as he concealed those that made for the other side. The answer is, That the objection has no place here. There is no occasion of trusting to any thing but one's own eyes. The papers will all be found in the places where they are said to be, and I am no more concerned in them. The most part here
made

made use of against *Murray*, *Morton*, *Q. Elizabeth*, &c. are their own, and found with themselves, either exhibited by them in open court, or written, sent, marked and delivered, registred or printed, and always acknowledged by them or their associates ; and with them, for the most part, they still remained. And if they are condemn'd and convicted by these, or any of them ; how vain would the imagination be, that they could possibly be acquitted by any other papers whatever !

Some people have declared their opinions, that the matter is of no consequence, and scarcely worth the enquiry, whether these letters are genuine or not. But there is something of singularity in this. Letters of far less consequence have by good judges been reckoned worthy to have books written concerning them. Of how great importance they were to *Murray's* faction and Queen *Elizabeth*, hath been hinted at already : But hear themselves. “ No other way or means, say the “ one, can be found for the security of our- “ selves and our posterity.” Says the other, “ Let *Buchanan's* little Latin books, [con- “ taining some of these letters] be dispersed, “ for they will serve to good effect to disgrace “ her ; which must be done, before other “ purposes can be attained.”

'Tis

'Tis true, after these purposes were attained, the letters sunk considerably in their value as to these people; but as to the rest of mankind, their value continues to be the same as at first. All those who have treated of the transactions in *Britain* of those times, have still hitherto thought them deserving of their attention, and the same opinion still prevails. The society above-mentioned, we see, after having brooded over these matters for thirty-six years, find it necessary to take shelter under these letters: And indeed if they are once proved to be supposititious, the society's labours so long bestowed in opposition to truth, virtue and injured innocence, will probably prove abortive.

Two late Writers of *English* history, Mr. *Guthry* and Mr. *Carte*, would have been, I'm persuaded, extremely glad to have found the certain truth of this matter. The former undertook fairly to prove the forgery of these letters, but failed in the performance. Mr. *Carte* hath published a particular defence of Queen MARY's innocence, in which he hath collected arguments and evidences to that purpose, with more diligence and force than any that went before him, in so much that were all the foundations on which he builds, solid enough, there would remain little more requisite to be said on the subject. But unluckily

luckily he lays hold sometimes upon insufficient evidence, of which take three or four instances.

1. He supposeth the confessions of *John Hepburn, John Hay, Powrie, &c.* subjoined to *George Buchanan's* detection, to be authentic or true; whereas they are only such tales as the faction thought proper to spread abroad when that libel was published; and must have been drawn up after the beginning of *September 1569*, when secretary *Lethington* and Sir *James Balfour*, falling into some disgrace with the rest of the party, began to be charged by them with the murder of the King: And probably not till the time of *Lenox's* regency, during which they were both proscribed.

James Anderson had observed that these confessions did not correspond with their pretended particular confessions published by him; for in these there is nothing against the Queen, or Sir *James Balfour*, though both are brought in at the end of the detection: And to reconcile this jarring evidence, which hath a very ugly aspect, he tells us these last confessions were made at the place of their execution; whereas those first published by him, are their judicial confessions, taken at full length from records: But the thing itself shews that it was designed to pass for a
summary

summary of all their confessions. Moreover that the particular ones were entered on record may be doubted: The contrary would seem to be true from *p.* 173. 188. and 190. of his own book, Vol. 2. There we are told that there were original confessions of these men in the Justiciary-court, which however were not made before that court, but elsewhere, before *Murray* and some of his accomplices, which adds nothing to their credit. Nor indeed would it signify much altho' they had recorded them a hundred times: For they recorded the letters to *Bothwell*: But did this prove them to be authentick? So far from it, that this fact is enough to discredit all their records to such a degree, that none of them could ever after be received against any person but themselves.

A *second* instance of insufficient evidence relied upon by Mr. *Carte*, is Mons. *de Fene-lon's* letter, 5th *January* 1574, narrating, that *Ormeston* confessed that the Earl of *Bothwell* shewed him a paper promising him assistance in murdering the King, subscribed by the Earl of *Morton* amongst others.

A *third* instance is the octopartite deed said by some historians to have been given to the Earl of *Bothwell* for that purpose; which two points are briefly examined in the following treatise.

A fourth instance is, That too much stress is laid on the authority of some historians. Thus he argues, that the falshood of *Morton's* tale about his finding the Queen's silver box, and the letters in it, with *George Dalgleish*, upon the 20th day of *June*, must be manifestly false; because *Dalgleish* was only taken off *Scotland* by *Grange* in the beginning of *September* following; for which he cites *Sir James Melvil's* Memoirs. The argument would be invincible, could *Melvill* be relied on; but in fact *Melvill* is in the wrong.

There is to be seen, in the paper-office at *London*, a letter to Queen *Elizabeth* from *Sir Nicholas Throckmorton*, her ambassador in *Scotland*, dated at *Edinburgh* 18th *July* 1567, in which he writes thus: "The Earl *Bothwell's* porter, and one of his other servants of his chamber, being apprehended have confessed such sundry circumstances, as it appeareth evidently that he, the said Earl, was one of the principal executers of the murder, in his own person, accompanied with sundry others; of which number I cannot yet certainly learn the names, but of three of them, that is to say, two of the *Ormistons* of *Tivendale*, and one *Hepburn* of *Bolton*." This servant of his chamber was no other than *Dalgleish*. I grant that

c

Sir

Sir Nicholas writes thus upon hearſay only; and it ſignifies little to aſcertain what was confeſſed, or if any thing at all; but ſurely it preponderates *Melvill's* ſtory, that *Dalgleiſh* was not apprehended before *September*. *Mr. Carte* therefore hath been unwarily miſſed by *Melvill* as to this fact: I ſay unwarily; for I would not be thought, by obſerving theſe things, to intend the leaſt reflexion upon *Mr. Carte*, who hath uſed great induſtry and integrity in treating of the affairs of *MARY Queen of Scots*, and faithfully diſcharged the duty of an hiſtorian, according to ſuch vouchers as he could find; altho' theſe happen ſometimes to be inſufficient and erroneous.

Mr. Carte is not the only writer who hath been led into errors by *Melvill*. The miſfortune is, that they who know no better have repreſented him as an honeſt man, and one who would not have injured the Queen to his knowledge. True it is, he neither ſeems to have had the malice or impudence of *Knox* or *Buchanan* in his temper. But he cloſely followed the footſteps of his father *Sir John Melvill of Raith*, who was juſtly condemned by parliament in the Year 1548, for treaſonable correſpondence with the *Engliſh*, in time of war, againſt his Queen and country. Nor is his veracity to be relied upon in the leaſt;

as will appear by the following instances, which I give here to caution people against trusting him for the future.

The Queen dowager of *Scotland*, out of meer compassion, sent this man, after his father's forfeiture and execution, to be a page of honour to the Queen her daughter, then in *France*, when he was about fourteen years of age. He was afterwards taken into the service of *Anne de Montmorency* Constable of *France*. When the rebellion broke out in *Scotland* upon pretence of religion, the year after the Queen's marriage, the King of *France* was informed that the Prior of *St. Andrews*, then known by the designation of the *Bastard of Scotland*, afterwards Earl of *Murray*, was setting up for the crown; upon which he determined to send some trusty person to *Scotland*, to enquire diligently whether it was so, or what the rebels would be at. The Constable recommended *Melvill*, who, as he imagined, in consideration of the duty he owed to himself, would be faithful and diligent, and as being a *Scotsman*, might have the better opportunities to accomplish his errand.

Melvill thus employed, applies himself to *Tbrockmorton* the *English* ambassador in *France*, signifying that he could now be of some service to Queen *Elizabeth* his mistress. *Tbrockmorton* accordingly recommends him

to secretary *Cecil* for that purpose, by his letter dated 18th *May* 1559 *, with a hint that he had done some services to him already. And upon the 4th of *July* thereafter, he recommended *John Melvin*, brother to this *James*, for a pension from the *English* court, to serve them against his country; who pleaded merit at their hands, because his father had lost his head, and he and his had been proscribed for *England's* sake. Upon the 27th of *July* he recommends both, but especially *James*: “ I have not found any, says he, in
 “ my opinion, so meet to be used and enter-
 “ tained, for the Queen’s majestie’s service,
 “ as *James Melvin*, who is presently in
 “ *Scotland*, and is the Constable his servant.
 “ He is a man of good capacity, and hath sun-
 “ dry rare parts in him, not to be found in
 “ many: Wherefore, I suppose, you shall do
 “ well to use the best means you can, if he
 “ come by you, to make him her Majestie’s;
 “ for he shall be able to do her good ser-
 “ vice.”

Sir *James* says, he was discharged to let his commission be known, either to the Queen-regent, or to *D'Oysel* the King of *France* his Lieutenant in *Scotland*. Let them believe him who can! Who then was to be acquainted with it? why, it seems he who knew best,
 even

* *Dr. Forbes* p. 97. 153. 180.

even the Prior himself. To him at least *Melvill* applied, being introduced by *Henry Balnaves* of *Hallhill*, one who had joined the murderers of Cardinal *Beaton*, to assist in keeping out his castle of *St. Andrews*, for the behoof of *Henry VIII.* of *England*, and had been banished on that account; but was now returned to join in the rebellion, and was in great credit with the Prior. There the commission was produced, and the question put to his Lordship. The reader may easily conjecture what answer would be returned; I also leave it to him to judge whether this commission was not duly and honourably executed.

Melvill complains, that upon his return to *France*, King *Henry II.* being dead, and the Constable out of court, he found his voyage, and the answer he had got, all in vain. This he attributes to the House of *Guise*, whom he most injuriously blames as the chief instruments of all the troubles in *Scotland*. How great pity was it that these *Guises* did not reward the Gentleman according to his demerits! Yet he was rewarded, though from another quarter. He tells us himself, *p.* 46. that upon this very occasion he obtained a pension from Queen *Elizabeth*, at the instance of Sir *Nicholas Throckmorton*, to help to entertain him in his travels. Doubtless he had de-

deserved it, tho' his modesty hath not permitted him to tell how : For wherever we find *Scotsmen* getting pensions from the *English* court, we may pronounce them traitors to their native country, without any danger of being mistaken. But in the present case we have proof, as well as presumption.

Another singular instance of *Melvill's* fidelity and veracity we have in his account of *Christopher Roxby*, one who had been employed by the court of *England* as a spy, to pretend to be a zealous stickler for *Queen Mary's* Title to that crown, to offer his service for carrying on a correspondence with such as favoured her in that kingdom, and to send an account of his discoveries to secretary *Cecil*, that means might be found out to cut off all who favoured her just right. *Melvill* informs us that *Roxby* addressed himself to the Queen by means of the Bishop of *Ross*, who was a Catholick ; that by sundry intelligences sent to *Cecil*, he did great prejudice.

To gain *Roxby* the greater Credit with the Queen of *Scots*, Queen *Elizabeth* complained by her Ambassador *Killigrew*, that he was entertained in *Scotland*, and would needs have him delivered up.

This contrivance, *Melvill* says, was discovered by the vigilance of his brother Sir *Robert Melvill*, Queen *MARY's* Ambassador in
Eng.

The P R E F A C E. xiii

England, who in due time sent information to the Queen and to him also : So that how soon *Killigrew* made his complaint, Queen *MARY* caused *Roxby* to be apprehended, with all his writings and cyphers, and amongst the rest, a letter from *Cecil*, which disclosed the whole correspondence.

Upon the 19th Day of *June* Sir *James Melvill* himself was dispatched to *England*, to notify to Queen *Elizabeth* the birth of the Prince, and also, among other things, that *Roxby* was secured, and would be delivered when she inclined to call for him. This he says he did, and that *Elizabeth* seemed to be pleased as to *Roxby*, but forgot to send for him. In about two days Sir *James* took his leave, but did not return till he was furnished with wholesome instructions from his brother Sir *Robert*, for Queen *MARY*'s behaviour with respect to the *English*, which he sets down at length, as from the original, and particularly for sending *Roxby* to be kept in a secure place far North, and for blasting the intelligence he had given ; “ For, (says Sir “ *James*) the Bishop of *Ross* made the said “ *Roxby*'s address to the Queen : for neither “ he, nor the Earl of *Bothwell*, desired her “ Majesty's affairs to prosper under my brother's management, because he was not of “ their faction : So that by their means *Rox-*
“ *by*

“ by got that intelligence as put all her Ma-
 “ jestie’s affairs once in a venture; until
 “ my brother’s extraordinary intelligence;
 “ from such as were most intimate with the
 “ Queen of *England*, made him cause ap-
 “ prehend the said *Roxby*, with his whole
 “ letters and memoirs, as said is. So are ma-
 “ ny good princes handled, and commonly
 “ their truest servants decourted, by the envy
 “ and craft of their factious enemies! For
 “ wicked men, who have lost their credit by
 “ trumpery and tricks, whereby they get no
 “ place to do good service to princes, essay
 “ to creep into their favour by wiles, flattery
 “ and other unlawful means, whereby they
 “ may decourt such as surmount them in vir-
 “ tue and honest reputation.”

The reader will, no doubt, be ready to allow
 that the popish Bishop of *Ross*, and unsancti-
 fied Earl of *Bothwell*, well deserved this se-
 vere censure, for their envy and blundering
 politicks, which would have ruined all, had
 not these two protestant brethren stood in the
 gap, like true knights, and rescued all. For
 who after this would imagine, or readily be-
 lieve, that Sir *James Melvill* himself was
 the very man who introduced *Roxby* to the
 Queen? that the popish Bishop of *Ross* was
 one of those who managed *Roxby*’s affairs †,

and

† Bp. *Keith*’s hist. append. p. 169.

and, no doubt, discovered him? or that he was not seized upon till after Sir *James's* return to *Edinburgh*? Yet that the matter was really thus, appears from two of *Roxby's* letters to *Cecil*; the one dated the second day of *July* 1566 †, in which he says he had got a letter from *Cecil*; but had not as yet seen *Killigrew*, and desires further instructions. In the other, written after his release out of the castle of *Spynie* in *Murray* *, he plainly tells the story, that *James Melvill* introduced him to the Queen.

A man must have a large stock of reputation who can bear up against such flagrant instances of treachery to his Sovereign, and falshood in charging his own faults upon innocent persons of character and worth. Many more examples might be brought of this kind, and his brother Sir *Robert* might be proved to have been as great a traitor as he himself, if it were necessary; and yet these two are almost the only heroes in his book.

I shall only take notice of one more of *Melvill's* stories, which, altho' it is of a much worse kind than a pure mistake, hath been laid hold of to the Queen's prejudice. He tells us, p. 78. That Lord *Herries* came to *Edinburgh* some time before the Queen went to

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Stirling

† Bp. *Keith's* hist. append. p. 338.

* *Haynes* State papers, p. 445.

Stirling (which was upon the 22d day of *April* 1567), and acquainted her Majesty, “how it was currently reported through the country, that the Earl of *Botbwell* murdered the King, and that she was to marry him; earnestly requesting her Majesty, on his knees, against that marriage;” and insinuates that there arose no small animosity betwixt the Earl and Lord *Herries* upon that account. But nothing of this is true: Lord *Herries* upon the 19th Day of that very Month of *April* *, joined with the rest of the nobility and clergy in subscribing the bond, by which they approved of the Earl’s acquittal by his peers, and engaged themselves to defend him against all who would accuse him afterwards of the King’s murder, and to promote his marriage with the Queen, if it might please her to humble herself so far as to prefer one of her own subjects to foreign Princes: And upon the xiv. day of *May*, being the day before the solemnization of that marriage, he is one of the witnesses in the contract for it; and, upon the xvii. day we find the Lord *Herries* sitting in council with the Earl, then made Duke of *Orkney*.

It would be in vain to object here *Murray* and *Morton*’s tale †, that the subscriptions to this

* Bp. *Keith*’s hist. p. 383.

† Append. p. 141.

this bond were obtained by compulsion; as if the Earl of *Bothwell* alone could have forced the whole clergy and nobility at the parliament, or rather, for ought appears, the whole parliament itself. Every one who is acquainted with Lord *Herries's* character, must know, that all of them could not have compelled him alone to subscribe any paper, that, to his persuasion, tended to a wicked purpose.

Their other excuse is still more absurd, that they were commanded to subscribe that bond by a writing under the Queen's hand, which they so confidently produced at *York*; for the tenor of the bond itself shews, that it must have been given without the Queen's knowledge. So that if ever these men forged any thing, they certainly forged that warrant. But having treated of this matter in the following brief discussion of the Earl of *Bothwell's* case, and of the proofs alledged against him, to that I refer the reader.

So much I thought necessary for warning people to beware of *Melville*, who is the more dangerous, because a kind of bosom enemy. I might proceed to shew that Abp. *Spottiswood* has written several things concerning the Queen, without due examination: And that *De Thou* has maliciously abused her. This man pretended that he had his information

d 2 from

from Papists, which he had only from one *John Colvill*, such another temporising Papist as himself, and they were both of them *English* pensionaries *. From which sort of men little truth is to be expected.

But whatever has been said, to the disparagement of that Princess, or whoever said it, signifies nothing: For *MARY Queen of Scots* so far excelled all other sovereign Princes who ever yet appeared on the face of the earth, that, as if she had not been of mortal nature, all the arts and contrivances of her numerous and malicious enemies have not availed to fix upon her one crime, shall I say, nay, not one single foible, either while on the throne, or in the jail, from her cradle to her grave, unless the want of omniscience or omnipotence shall be reckoned in her a defect. This is the very truth: And this can and shall be made manifest, to the admiration and satisfaction of all good men, and to the shame and confusion of all others, who shall ever, in time coming, dare to gainsay.

The papers in the appendix will disclose some other practices, besides those that I have had occasion to observe; as for example, p. 159. and 160. that the Queen was teased
to

* See *Winwood's Memorials*, Vol. I. p. 229. 231. 250. 256. 310. 320. 404.

to think of an *English* marriage, during the conferences at *York*, with other matters, which I must leave to the reader's own sagacity to find out. As to the papers themselves, where I had not access to the originals or records, I got double copies of most of them, by which I was enabled to correct *James Anderson's* book in several places. Of some few I had only single copies, and tho' I am not altogether satisfied with the transcribers diligence: Yet I verily believe there is no omission or mistake, that can much marr the sense, of any material period.

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A N
EXAMINATION
OF THE
LETTERS,

Said to be written by

MARY Queen of SCOTS,

TO

JAMES Earl of Botbwell.

The Introduction.

AMONGST all the controverted histories in the world, that of MARY Queen of Scots hath now, for many years been reckoned the most amazingly intricate and perplexed, and continues to be so esteemed to this very day. Yea to one who will curiously weigh the opposite and contradictory accounts, given by different persons of the same facts, it would seem as if this were not of the like nature with any other history, either ancient or modern. Other histories, for the most part, have become dif-

2 INTRODUCTION.

disputable, through the scarcity, or destruction, of monuments relating to their several times, to the want of capacity in those who wrote them, or some obvious disadvantage under which they laboured for attaining to sure means of knowledge, by living either at too great distance of time after the transactions themselves, or of place from the theatre of action. But none of these things can be alledged in Queen MARY's story. It had become a subject of high dispute in her own time; and hath been treated ever since, as a point of the deepest concern in all modern history, by the ablest writers abroad and at home. Many have made it their peculiar care to search out and preserve whatever monuments or documents they thought could be of use for clearing any doubts and objections that fell in their way; while others have laid themselves out to collect, publish and preserve all the scandalous libels, or stories, that had ever been trumped up, either by them who dethroned her, or those who murdered her, to screen their own wickedness. Hence it happens, that we are rather overwhelmed with memoirs and vouchers of the several particular events during that period, than defective therein: Yet nevertheless the history itself, by this multiplicity of jarring and inconsistent evidence, is become rather

INTRODUCTION. 141

rather more involved, especially that part of it, relating to the murder of her second husband, and whether she was herself innocent, or guilty, of that fact. Some have always absolved her, while others passionately condemn her, and spare not to bestow the most opprobrious language upon all who presume to differ from their opinion, uncharitable as it is.

The truth of the matter is, the Queen's enemies took the start of her friends. They not only invented and spread abroad this calumny upon her, but also in the presence of Queen *Elizabeth* and her commissioners in *England*, they proved, so far as their positive oaths could go, two main points against her, namely, "That ^a she was in the foreknowledge, counsel, device, and persuaded and
" commanded that her husband should be
" murdered; and after that was done, for-
" tified and maintained the murderers:" As also, "That ^b the Earl of *Bothwell* seized
" her person with her own consent, and by a
" stratagem of her own contrivance." Both which points they did verify by some *French* letters which they exhibited upon oath ^c as written with her own hand to the Earl of *Bothwell*: Which letters were received by the *English* commissioners, examined and
com-

^a Append. p. 207.

^b P. 141.

^c P. 92. 122. 199. 241.

INTRODUCTION.

compared, once and again, with other letters unquestionably written by Queen MARY^a, and likewise with a translation of them into *English*, that had been sent up by *Murray* to *England* in the month of *June* that year; and no difference being by them found, the letters to *Bothwell* were all ingrossed in the memorials of the sessions of these commissioners, excepting one, of which afterwards.

Was not this a very cautious and solemn procedure? Behold with what scrupulous nicety, and critical exactness, these letters were admitted, and so patiently collated once and again, before they were recorded! But this being once done in such a court, where Queen *Elizabeth* herself, that bright occidental star, presided in person; at the sight too of an unusual number of the nobility of *Old England*, convened for that very purpose; their whole acts being drawn up by the direction and assistance of honest secretary *Cecil*; and all the fundamentals so well secured by the repeated oaths, and solemn protestations, of these godly worthies, the Earls of *Murray* and *Morton*, the first protestant Bishop of *Orkney*, the Lord *Lindsay*, and the titular Abbot of *Dunfermling*; the business seems to have been almost over: For if fortifications so impregnable could be taken
by

^a Append. 235. 239. 252. 256.

INTRODUCTION. 5

by storm, and such solid foundations blown in the air, what other safe refuge could the persons concerned expect to find ! The Earl of *Murray* was so certain of the truth of all that he laid to Queen MARY's charge, that he thought Q. *Elizabeth* bound by God's ordinance to put her to death for the murder of her husband, because he was *Elizabeth's* near kinsman, and born her subject ^a. And *Cecil* was of the same opinion, even " that Q. *Elizabeth* was bound in conscience to answer " the petitions of her subjects, in matters of " blood, upon her subjects ; ^b " that is, upon Queen MARY, for, in *Cecil's* language, she and all the people of *Scotland* were subjects to *Elizabeth*, by reason of her superiority over that kingdom ^c. Is it to be imagined that the one would have petitioned, or the other so soon resolved, that a sovereign Queen should be put to death, had not the force of conviction pressed very hard upon their tender consciences ?

If the reader shall desire to know, as it is likely he will, how Queen MARY's commissioners could be employed all this time, that they did not either refute these letters, or, at least, give in their objections against them, as they certainly always esteemed them forgeries;

c 2

^a Append. p. 205.

^b P. 277.

^c Ibid.

6 INTRODUCTION.

ries; he may find in the appendix, that they were not idle; and in the following brief account of these conferences, the manner in which they were employed, is narrated in few words, and to these he is referred. But to refute the letters was altogether impossible for them, because they could never obtain either a sight of the pretended originals, or copies of them, altho' they often demanded them ^a, at the Queen of *England's* hands. Nay *Elizabeth* declared that she would receive proof of *Murray's* accusation of the Queen, his sovereign, before she were heard for herself; and really did so. But as the particulars of that accusation were kept a profound secret from Queen *MARY* and her commissioners, there was no remedy left them but simply to deny. This indeed was done; Both the Queen herself ^b, and her commissioners in her name, did absolutely deny that ever she wrote to any creature for such purposes; and affirmed, that if there were any such writings, they were false, feigned, forged, and invented by *Murray*, *Morton* and their accomplices themselves: And this they undertook to prove, providing they might be permitted to take a view of the pretended originals, and get copies of them: But neither the one, nor

^a Append. p. 282. 297. 308.

^b P. 289. 297. 299. 342. 388.

INTRODUCTION. 3

for the other could ever be obtained; without which nothing could be done.

It appears indeed by a letter from the Bishop of *Ross* to Queen *Elizabeth*, dated the xvij. of *December* 1568, that he had got some general account of the letters, and the contents, by word of mouth, either from some of the *English* commissioners, or, which is rather more probable, from secretary *Maitland*; by which account, imperfect as it was, he points out several strong presumptions of the forgery, and several marks of the insufficiency of the letters ^a, but at the same time fell into some small mistakes concerning them, as might be well expected in one who argued from his memory, concerning writings of which he had only heard: So his observations went for nothing.

Queen *MARY* and her commissioners perceiving this double dealing, that these conferences, to which *Elizabeth* had urged her to consent, for pardoning her rebels, and being reconciled to them, so that they might live in security, and she enjoy her kingdom in peace for the future, were so unaccountably carried on, to no other purpose, but purely to her dishonour; and the very means of clearing herself thus denied her, they resolved to go to work another way, by which they might
prove

^a Append. p. 389.

8 INTRODUCTION.

prove the forgery by inference, seeing they were debarred of the means whereby it could have been done in the direct manner. They accused *Murray*, *Morton* and their associates, as the authors, inventors, and some of them, the executors of that murder ^a, and engaged to prove that accusation also against them, and actually began to collect some additional proof; for though they knew the matter from the beginning, and wanted not proof ^b, the Queen had declined to take this method hitherto; because, as she truly said herself, “It could
“ not seem fit nor convenient to stand before
“ foreign judges to accuse them, and much
“ less to be accused by them, they being of-
“ fenders, &c.” ^c tho’ at last by those wicked and shameless proceedings, she found herself obliged to accuse them.

Things had hitherto been carried on altogether according to the intention and desire both of *Murray’s* faction, and of *Q. Elizabeth* and her court: But this method of proceeding cast a heavy damp on all their spirits, and thrust their noses quite out of joint. Great was the affront, that a woman, in their own prison, even tho’ she was a Queen, assisted by two servants only, should, at such a critical jun-
cture;

^a Append. p. 271. 272, 273. 280, 281, &c. 289. 297. 298. 307. 308. 312. 320.

^b P. 213. 320. 358.

^c P. 95. 118. 129. 182.

INTRODUCTION.

Course, have fallen upon the only proper method to disclose their secrets, and disturb the schemes that had been formed and pursued for several years, by people who thought themselves the very prime politicians in the world ; and it cannot be denied but they had acquired some qualifications, that are reckoned chiefly necessary to form adepts in the science, by drinking deeply of the potion that secured them against all shame and qualms of conscience.

Various were the expedients thought of to ward this deadly blow. They were all of them conscious that the accusation was just ; and therefore the matter must not be brought to a trial : Something however must be attempted to raise their fallen countenances.

Murray and *Morton* knew themselves to be principally levelled at ; for which reason, before the accusation should be formally presented, they bravely resolved that the question should be determined, not by a full and fair hearing, but by a duel, to be fought, not by either of them in person, but by proxy. For this purpose they engaged *Patrick Lord Lindsay*, a very inconsiderate man, whom they used as a meer tool, to send a challenge to *Lord Herries*, for accusing *Lord Regent Murray's* Grace and his company, of

of the King's murder ; which he did upon the 22d of *December* ^a.

Lord *Herries* would fight with none of their proxies on that occasion, but only with the principals ; because, he said, “ It was meetest that traitors should pay for their own treason.” But *Murray* and *Morton* were too tender of their own dear skins, to endanger them in the like manner as they did Lord *Lindsay*'s. They therefore most meanly applied to the Earl of *Liecester*, Q. *Elizabeth*'s minion, for his assistance to mollify Lord *Herries* ; who thereupon sent word to that nobleman to come to court that very day, upon some importunate suit of the Earl of *Murray*. Lord *Herries* absolutely refused to see *Murray* upon any terms, unless it should be either to avow the accusation, or the cartels exchanged that day betwixt him and *Lindsay*, of which he sent back copies to *Leicester*, assuring him, that if his presence was wanted on that account, he should not fail to come, if God spared his life, at the hour that his Lordship should appoint ^b.

This answer made the case still worse. Cowardice permitted not the good Regent, or his companion *Morton*, to fight ; tho' they had begun the quarrel ; and guilt hindered them

^a Append. p. 271.

^b P. 273.

them from standing the trial of the cause.

To rid them of this perplexity, they had recourse to *Q. Elizabeth*, who never had deserted them in a dishonourable cause, or wicked action, and they never had occasion to apply to her on any other account : With her therefore they bemoaned their present hard situation; and she did as much as she could to relieve them. But this served only to fix guilt more closely upon them : For upon the xxiv. of *December*, in the Council-chamber at *Hampton-court*, the Duke of *Norfolk* having, in presence of others of the *English* commissioners, declared to the Bishop of *Ross* and Lord *Herries*, how “ the Earl of *Murray* had bemoaned him to Queen *Elizabeth* and her council, that it was come to his knowledge, how it was murmured and bruited, that he, and his company, were guilty of the murder which they had laid to the Queen’s charge; and he understood the same had proceeded from the Queen of *Scotland*’s commissioners :” Therefore required whether either of these two would so accuse the other party^a ? as if that had not been avowedly done before, !

The answer was in greater readiness than they were aware, namely, “ That they had that very day received the Queen their
f mistress’s

^a Append. p. 250.

“ mistress’s special command to accuse them
 “ of that crime ; and would publickly do so,
 “ in presence of the Queen of *England* and
 “ her council, desiring that they might have
 “ her presence for that effect.” And the next
 day being assigned, they accordingly did accuse them of the King’s murder, and shewed their Sovereign’s instructions for their warrant ; at the same time they produced her answers to *Murray*’s accusation, which he calls *the eik* ^a, and their own answer to his solemn protestation. They likewise required to have copies given them of the writings produced against their Sovereign, to the end that they might convict *Murray* and his party, both of murdering the King, and of forging papers, and then swearing them upon her, to palliate their own horrid actions.

Elizabeth acknowledged that this desire was very reasonable, but never could be prevailed upon to grant it ; and yet, which is altogether unaccountable, they still gave out that Queen *MARY* would not answer as to the crime of murdering her husband ^b, even when they had in their hands her answers to all that they would allow either herself or her commissioners to see. Neither would they ever permit that any enquiry should be made
 into

^a Append. p. 281. 283. 285. 289.

^b P. 296.

into *Murray's* guilt, in the murder of the King; for upon a second application made by the Bishop of *Ross* and Lord *Herries* for these purposes, by their mistress's express command, *Elizabeth* answered ^a, " That it was
 " best some appointment should be made be-
 " twixt the Queen of *Scotland*, her good si-
 " ster, and her subjects : " Although upon the
 xvi. of *December*, she had told them, " That
 " she could not think them good or trusty
 " servants, or counsellors, to her good sister,
 " who would labour her to appoint with her
 " subjects, at this present, seeing their unnatu-
 " ral behaviour shown by them, in accusing
 " their own native sovereign : " Yet this was
 now become her own counsel, and had been,
 ever since the rumour that *Murray* was to be
 accused of the King's murder, had disconcert-
 ed them all, *Cecil* excepted, who was never
 at a loss ; " For, says he, ^b tho' the Regent,
 " or any of his company, shall be by her
 " charged to be parties to the murder, and
 " to her unlawful marriage, yet is that no
 " discharge of her guiltiness : " As if the
 Queen had been to accuse them as par-
 ties or participants with herself in that fact.
 She never charged them as having any par-
 ticipants but amongst themselves. Her com-
 missioners indeed, upon the first of *De-*
 f 2 *cember*

^a Append. p. 300. ^b P. 275.

cember, in their memorial, drawn up in some haste, after they were made acquainted with *Murray's* accusation of their mistress, had mentioned the Earl of *Bothwell* as one who had received a bond written by *Murray's* party, for that murder : But no such bond hath hitherto appeared; and as there have been several ill founded tales told about it, of which afterwards, they seem also to have somewhat rashly taken up with the vulgar reports. Certain it is, that no mention is made either of the Earl of *Bothwell*, or of such a writing, in any of their following accusations of *Murray's* party before the Queen of *England*.

The appointment which Q. *Elizabeth* so lovingly and modestly proposed, was no other than that Q. *MARY* should resign her crown in favours of her son, and live privately in *England*. But that resignation being absolutely refused upon the 9th of *January*, the Earl of *Murray* and his accomplices got their publick answer from the privy-council of *England* the very next day, not so much to their mind, as they themselves then, and others since have pretended, whatever private encouragement or rewards they received ^a. Thus were they screened, at that time, from having the horrid crimes proved against them, of which they had been accused by their Sovereign.

The

The Bishop of *Ross* and Lord *Herries* complained loudly of this barefaced, partial and wicked behaviour; and yet they knew only the one half. What would they have said if they had known the whole, and that all was carried on by concert betwixt *Elizabeth* and *Murray*, which they had entered upon before-hand? I cannot indeed tell what they might have said; but these matters were concerted as follows:

Queen *MARY* arrived in *England* upon the xvi. day of *May* 1568; and by the beginning of *June* the good Regent *Murray* had made a voluntary offer to accuse her of the murder of her second Husband before Queen *Elizabeth* ^a: Of which offer *Elizabeth* was most graciously pleased to accept, as appears by her letter to *Murray*, dated viii. day of *June*.

Murray perceiving how agreeable his offer was, wisely took the opportunity of providing for his own security and settlement, “because, says he ^b, we would be most loth
“to enter in accusation of the Queen, mo-
“ther of the King our Sovereign, and then
“to enter in qualification with her; for
“all men may judge how dangerous and
“prejudicial that would be. Always, in case
“the Queen’s Majesty [of *England*] will
“have the accusation directly to proceed, it
were

“ were most reasonable that we understood
 “ what we should look to follow thereupon,
 “ in case we prove all that we alledge; other-
 “ wise we shall be as uncertain after the cause
 “ is concluded, as we are presently, &c.”

He had also a considerable scruple in a material point, yea the very chief point, which he wanted to have removed before-hand, “ because he perceived, as he says, that the trial which the Queen’s majesty was minded to have taken was to be used with great ceremony and solemnity :” And this was even a modest diffidence that he had in his very letters to *Bothwell*, whether they would be sustained as genuine, or containing sufficient proof. ‘ It may be, says he, that such letters as we have of the Queen, our sovereign Lord’s mother, that sufficiently, in our opinion, prove her consenting to the murder of the King, her lawful husband, shall be called in doubt by the judges to be constitute for examination and trial of the cause, whether they may stand, or fall; prove, or not. Therefore, since our servant Mr. *John Wood* has the copies of these letters, translated in our language, we would earnestly desire that these copies may be considered by the judges, who shall have the examination of the matter, that they may resolve us this far, in case the principal agree

‘ agree with the copy, that then we prove the
 ‘ cause indeed. For when we have manifested
 ‘ and shewed all, and yet have no assurance
 ‘ that what we send shall satisfy for probation,
 ‘ for what purpose shall we either accuse, or
 ‘ take care how to prove, when we are not as-
 ‘ sured what to prove, or, when we have
 ‘ proved, what shall succeed ?

I never yet could find the counter-tally of this transaction on Queen *Elizabeth's* part. There is, in the Appendix ^a, a paper by *Cecil*, consisting of answers to every one of those questions and doubts; but it cannot be reckoned to have closed the bargain, which must have been concluded entirely in the terms and manner proposed by *Murray*, as may well appear from this, that the *English* commissioners took the trouble to compare the pretended *French* originals, with *Murray's* pretended translation ^b. It surely was nothing to the purpose, whether *Murray's* translation was found to be correct, or not : Nor can any shadow of a reason be easily assigned, why they should have taken this trouble, unless, for completing the bargain in *Murray's* terms, they had first resolved that, in case the originals should agree with his translation, they would sustain them as full proof of the accusation.

Thus

^a Append. P. 89. ^b P. 239.

Thus was that abominable confederacy concluded in the month of *June*, betwixt Queen *Elizabeth* and *Murray*; so that there remained nothing to be done on his part, but to produce his letters, and to swear home that they were Queen *MARY*'s hand-writing. The only remaining difficulty was, how to induce the Queen to consent to any hearing or conference with her rebels. Much chicane, and no small time was employed in bringing this about, as is to seen by a paper of *Cecil*'s published by *James Anderson*^a, in which, though it is stuffed with disingenuity, like all others from that hand, this is visible enough. At last, *Elizabeth* declaring, that she thought it meetest that the differences betwixt Queen *MARY* and her subjects should be made up by a good appointment, to which she would contribute by her good offices; that nothing was intended, but to restore her to her kingdom in the most easy and peaceable way, to reduce her rebellious subjects to their due obedience, and to provide such terms for their security, as all might continue in a state of tranquillity ever afterwards; *MARY* consented.

But when *Murray* came to *York*, ready to give in his accusation, he began to have further scruples about the sufficiency of all the security he had obtained, either for his continuing

^a Collect. Vol. 4. p. 1.

tinuing in the regency, or even being assured of his life. He therefore laid his doubts before the *English* commissioners, craving to be resolved as to them, before he would accuse his Sovereign and sister ^a; And the more to incite and encourage them to answer his demands, he employed four of his retinue to shew to these commissioners, in a private manner, his whole proof and evidences. But their answers did not prove satisfactory.

In the mean time the court of *England* perceiving that *Murray's* wheels moved heavily at *York*, all parties were called up to *London*, for the further prosecution of the matter: And *Q. Elizabeth* wrote to her commissioners ^b,
 ' That the more willingly to induce them of
 ' the Queen's part to come to *London*, who,
 ' says she, we think will most suspect the
 ' same, we would have you to use all good
 ' means, whereby the Queen may under-
 ' stand, that this our conference is intended
 ' to take away the delay of time:—— For
 ' we cannot see any likelihood, but by these
 ' means, how to end this cause in honour-
 ' able sort, and meet for all parties.'

' In the dealing herein, ye shall do well to
 ' have good regard, that none of the Queen
 ' of *Scots* commissioners may gather any

g

' doubt

^a Append. p. 130. 131. 136. 140

^b P. 172.

20 INTRODUCTION.

‘doubt of any evil success of her cause; but
 ‘that they may imagine this conference of
 ‘ours principally to be meant, how her restitu-
 ‘tion may be devised with surety of the
 ‘Prince her son, and the nobility that have
 ‘adhered to him, &c.’ Thus she wrote up-
 on the xvi. day of *October*; and upon the
 xxx. of that month her privy-council met,
 for settling the form of their procedure at
 this conference; where it was agreed, that
 two questions should be put to *Murray’s* par-
 ty, ‘I. How they could answer a such mat-
 ‘ters as were contained in the reply on the
 ‘Queen’s part? II. Why they did forbear
 ‘in their answer to charge the Queen with
 ‘guiltiness in the murder, considering that
 ‘their party had always given out to the
 ‘world that she was guilty? Then, if they
 ‘should be content to shew sufficient matter
 ‘to prove her guilty, it was thought good, for
 ‘many respects, that they should be assured
 ‘that Queen *Elizabeth* would never restore
 ‘her to the crown of *Scotland*, nor permit
 ‘her to be restored, without such assurances
 ‘as their party should allow to be good for
 ‘themselves.’ Which was accordingly done.

The commissioners met first upon the xxv.
 of *November*, and that day being spent in
 entering protestations, shewing their commis-
 sions,

sons, administering oaths, and the like preliminaries, upon the very next day *Murray* received from the *English* commissioners a full and satisfactory answer, in writing, to all his doubts and demands ; and they received from him in exchange his accusation of the Queen, which he had in readiness, but would not exhibit, until it was ushered in by a solemn protestation, in name of himself and company, ‘ That their former proceedings might
 ‘ serve for a sufficient testimony to the world,
 ‘ how unwilling they had ever been to touch
 ‘ their Sovereign Lord’s mother in honour,
 ‘ or to publish, unto strangers, matters tend-
 ‘ ing to her PERPETUAL INFAMY.— That
 ‘ (such was their devotion towards her !) ra-
 ‘ ther than they would spot her honesty with
 ‘ the society of that detestable murder, they
 ‘ had been content to suffer their doings to
 ‘ be misrepresented, and themselves blazoned,
 ‘ as traitors and rebels to their native Prince,
 ‘ in whose person they had put hands unde-
 ‘ servedly. That easy had it been for them
 ‘ to have wiped off these, and the like ob-
 ‘ jections with a few words, if they would
 ‘ have uttered matters, *which they kept in*
 ‘ *store for the last cast.* [Pray, dash out those
 ‘ last nine monosyllables, good reader !] for so
 ‘ desirous were they to cover her shame, that
 ‘ they were content to bear a part of the

'burden, to their no small danger.— They
 'well remembered what person she was, whom
 'this matter chiefly touched, even the mo-
 'ther of the King their Sovereign, and one to
 'whom, in particular, the most part of them
 'were bound for benefits received at her
 'hands, and therefore could not but privately
 'bear her good-will; yea so far, that if with
 'the perpetual exile of any one, or even
 'a number of them forth of their native coun-
 'try, they could redeem her honour, with-
 'out danger of the king's person and whole
 'estate, they affirm, (and it must be remem-
 'bred they are still upon oath) they would
 'willingly banish themselves to that end :
 'But then *Scotland* could no longer continue
 'to be a kingdom, and the profession of true
 'religion would go to pot, &c.' Therefore
 Queen *Elizabeth* was bound to put her to
 death : And yet nothing of all this was to be
 charged to their account, but wholly to be
 imputed to their adversaries, her own com-
 missioners, who, whatever they pretended,
 sufficiently declared how little they cared
 what became of her, by pressing them to come
 to that answer, which, it was known, they had
 just cause to make, *and would make in the end,*
 [Let six monosyllables more be dashed out,]
 to her perpetual infamy ! For they had no
 delight all this while to see her dishonoured ;
 nor

nor came they willingly to her accusation for a crime so odious, ^a &c.

Now to one who considers, that they had first produced their letters before their privy-council in *December* the year 1567, and having converted the act of their council then made into an act of their parliament, which they had printed in *April* 1568; had sent up their letters to *London* to be considered, and made a bargain about them, as we have seen, in *June*, and lastly shewed them at *York* in *October*, it will appear to have required no small resolution to enter this protestation before these very men to whom they had communicated all before, even although they were friends. Whether the height of assurance, or depth of hypocrisy, doth predominate in the composition of this paper, is a problem too hard for me; so I leave the solution to their greatest admirers, whose serious attention it claims in a more special manner.

From this narrative of the matter, it is manifest that *Q. Elizabeth*, seeing she would have the accusation of *Queen MARY* directly to proceed ^b, could employ none other than those who had usurped her crown, and seized all her riches, however unfit they were on that account; because they only had proof, while few others believed it; and was forced to admit

^a Append. p. 204, 205. ^b P. 75.

mit the same men as witnesses to prove their own accusation, for the same reason. Which being done, how could she, in honour, either have exposed their chief evidences to open view, or given opportunity to have fixed the King's murder on these accusers and witnesses? The latter would evidently have annulled her bargain, and spoiled all the contrivance; And the danger from exposing their proofs was not much less; for had they been detected to be forgeries, which she certainly dreaded, *Ross* and *Herries*, who were thought to be too clamorous before, would, upon that emergency, have been ready to rend the very earth with their terrible exclamations. And it might have been suspected, not without some shew of reason, that *Herries's* sword would no longer have lurked quietly in its scabbard, whether *Murray* or *Morton* would accept his challenge or not; seeing no other reasonable redress could be obtained.

But this dire catastrophe was prevented, by keeping the letters out of the view of every one, besides *Murray's* party and the court of *England*: And thus they continued a profound secret, till in the year 1571, after *Morton* had been a second time at *London*, with the Queen's silver box, and their letters in it, for a new conference, it pleased Queen *Elizabeth* and her ministers to have them printed

printed at *London*, along with *George Buchanan's* detection, both in the Latin and *Scottish* languages ^a, and the next year in *French*. Along with them there was published a paper drawn up by *Cecil* to support their credit, but most falsely pretending that they had been printed in *Scotland* ^b.

For what purpose they happened to be then printed, we are informed by *Elizabeth* herself and her ministers, in their instructions in the year 1571, to one of her ambassadors or residents in *France*, for I have not at present the beginning of that paper : But after many insignificant arguments to be made use of for convincing the King of *France*, that he ought not to interpose on Queen *MARY's* behalf, we have this remarkable prescription, ‘—And
‘ here were it not amiss to have divers of *Buchanan's* little Latin books, to present, if need
‘ were, to the King, as from yourself, and
‘ likewise to some of the other noblemen of
‘ his council ; for they will serve to good effect to disgrace her ; which must be done, before other purposes can be attained’.

In this manner, and for these ends the letters were made known and spread abroad in the world by good Queen *Elizabeth*, but little to Queen *MARY's* advantage ; for she herself had been long shut up in one prison, and

^a Append. p. 371. ^b P. 376. 381.

and now the Bishop of *Ross* her ambassador, was confined in another; so that they could know little concerning the practices that were carried on in the world. And had they even been at greater liberty, 'tis possible they might not have happened on an absolute proof of the forgery from a printed copy. Every one knows that divers indications of forgery may be discovered in a pretended original writing, which must be quite lost in a copy, whether written or printed: Indeed had they been at full liberty, as they ought to have been, it is not to be doubted but that and many other crimes, no less heinous and execrable, would have been brought to light, as the Queen herself expressly says ^a.

But however improper accusers and evidences these men were, and however preposterous and absurd their method of proceeding was in reality, yet as in some points it resembled the ordinary form of probation by writ, and a great deal of ceremony having been used as a cloak for concealing the want of sincerity and honesty, it past with weak understandings as a proof, and has still been pleaded as such by persons of deep prejudices, and with such it will continue to be so esteemed, until it shall be quite disproved by clear evidence; and even then, some who have their under-

^a Append. p. 298.

understandings; in absolute subjection to their wills, and their wills of a perverse disposition, will never change their opinion, or, at least, not acknowledge it, unless they could perceive their interest in doing so.

All others of tolerable penetration, considering the close connexion that had always been betwixt Queen *Elizabeth* and *Murray's* party, suspected this whole story as meer juggle and imposture; but the stronger evidences for the truth of their conjectures having been kept secret to this day, they could not shew clearly that it actually was so. They made exception against the stile of the letters, which in fact differs extremely from the Queen's manner of writing; and this, joined with other presumptions, forms a strong argument against them; but few are capable of perceiving the full force of it; And although a man be, for his own part, well persuaded of a thing of that nature, he will find it no easy matter to persuade others.

These and the like difficulties have made some of our own countrymen look upon this matter as a kind of mysterious abyss, which, altho' they were persuaded it had once a bottom, yet did they doubt whether it could ever hereafter be fathomed. It is therefore not much to be wondered, if foreigners, like Monsr. *Bayle*, or others of the like taste and

complexion, do treat this affair as a remarkable foundation for historical Pyrrhonism. Nevertheless it may be said, that more might have been expected from so high a pretender to reason as Monsr. *Pierre Bayle*, than to conclude the question to be undeterminable, after he had run a parallel betwixt the credit that is due to *George Buchanan's* satires, or history, call it as ye will, and *William Camden's* annals of *Q. Elizabeth*. Was it not possible that both of them were in the wrong? Yea, for ought that he knew, *Camden's* errors, tho' few in comparifon, and inconsiderable, were all on the same side of the question with *Buchanan's* vile fictions: Which for the most part is really the fact.

But perhaps this is all that foreigners, like *Bayle*, can do, who probably do not imagine that there are better evidences to be had for determining those points: or, if they have any such notion, know not to whom they should apply, or where to search for them. But it would ill become natives of this country, who have fairer opportunities for inquiry, as having more ready access to indubitable documents of the transactions of those times, to put off their readers, or consume their own time with prattle about the veracity or credit of this or that historian; a method not to be borne with, except in matters of high antiquity,

tiqunty; in which perhaps nothing better is to be had.

It is therefore purposed in this small treatise, to go to the fountain-head, and strictly to examine whatever evidence the Queen's enemies brought, either to convict her, or to vindicate themselves; and as for the method, to proceed on the same plan which the Queen and her commissioners appear to have chalked out for themselves, viz. first to demonstrate the forgery of the pretended letters to *Bothwell*; and then to shew that *Murray*, *Morton*, and their accomplices were the first contrivers, and some of them the real executors of the murder of the King.

CHAPTER I.

The History of the Letters to Bothwell.

THE first mention that I have met with of any writing under the Queen's hand, from which her guilt in the murder of her husband was said to appear, is in a letter from *Sir Nicholas Throckmorton* to *Queen Elizabeth*, dated from *Edinburgh* the xxv. day of *July* 1567, by which he acquaints her, that *Morton* and his associates designed to

charge their Queen, among other things, with the murder of her husband, of which they said they had as apparent proof against her, as might be, as well by the testimony of her own hand-writing, which they had recovered, as also by sufficient witnesses.

Now some will be apt to think that the letters to *Bothwell* are meant by this word, *hand-writing* : And, I confess, I would also have been of that opinion, if they had not affirmed with the same breath, that they had sufficient witnesses too. Had the Queen herself murdered him, or been present when the deed was done, it was possible to have had witnesses ; but as that was not the case, it surpasseth an ordinary capacity to imagine how they could possibly have had them. It is to be further observed, that however sufficient these witnesses may be supposed, yet they must needs have been guilty themselves, as well as the Queen : And thence another very hard question arises, What became of these witnesses ? Certainly they could not be extant upon the 4th day of *December* that same year ; for then the matter having been reasoned upon at great length, and with good deliberation, in their council and convention, for sundry days, no other way, or means, could be found, for vindicating themselves, or accusing the Queen, but

but the letters to *Bothwell* only &c. Now had there been such witnesses, there would have been one other way by them, which could not have been forgot, when the men were reduced to so great straits. And of what service they might have been to the cause the next year in *England*, every one must see, who considers that when *Q. Elizabeth* had bent her whole mind to blacken *Q. MARY's* character, under the pretence of friendship, and of giving her assistance, she was of necessity obliged to receive both for accusers and witnesses, those most open and notorious rebels and traitors, who had imprisoned their Sovereign's person, usurped her royal authority, and seized her whole riches and revenues; in the possession of all which *Elizabeth* was by compact to maintain them for their pains, as hath been shewn. The transaction indeed must have been infamous at any rate, but not to so evident a degree, if there had been other sufficient witnesses than these accusers, who were thereby both to have their lives and estates secured, which they confess they had forfeited, and to enjoy those rewards of the highest nature besides.

By the same letter we learn, that they then accused the Queen of two other crimes; the first whereof was 'TYRANNY', for violating 'both their common and statute laws, and, namely,

Was it not somewhat unlucky, that the Queen's hand-writing should have been first mentioned amongst so many absurdities and falsehoods? And doth not that give a handle for suspecting this proof to have been as ill founded as the rest? It will perhaps be asked, Why all this ado about mentioning her writings in *July 1567*: Doth it not appear from the act of *Murray's* privy-council in *September 1568*, that they had got them in *June* the preceeding year? It is so said there indeed: but how are we to know whether that tale has more truth in it than their former stories? In any event this letter of *Throckmorton's* is so far useful, as it directly confronts their holy protestation, that they always declined to publish this matter to strangers^b, and thus shews how much credit is due to their assertions, even when upon oath.

The letters seem to have made their first publick appearance in *Murray's* privy-council, in time of a convention upon the iv. day of *December 1567*^c.

They were next produced in *Murray's* parliament that same month^d.

Thirdly, there was a translation of them, (as *Murray* calls it) sent to *London*, to be considered by the council there, in the beginning of *June 1568*:

The

The fourth time of their appearance was when *Morton* delivered them, box and all, to *Murray* in his privy council ^a, xvi. *September* 1568.

They were shewed privately to the *Englisch* commissioners at *York*, by four of *Murray*'s retinue, among whom was Mr. *George Buchanan*, upon the x. day of *October* 1568 ^b.

They were produced before the *Englisch* commissioners at *London*, upon the viii. day of *December* 1568, and by them examined, compared and recorded ^c.

Their last publick appearance was in *Lennox*'s privy-council, when they were re-delivered to *Morton*, then going to *London*, upon the xxii. day of *January* 1571, and there also they were entered upon record ^d.

But neither the pretended originals, nor either of these records can be found at present, tho' no small enquiry hath been made after them.

Morton had got the originals again into his hands, and with him they remained, until he was accused of the king's murder, upon the xvii. of *January* 1581. After which the Earl of *Angus*, as his heir by tail, having taken the inspection and charge of his effects, till the issue of his trial should be seen, the box and letters fell into his hands, and still was
i kept

^a Append. p. 90. ^b p. 139. 142.

^c P. 87. 235. 252. 256. ^d p. 91.

kept by him and his successors; for I find an anonymous historian who wrote about the restoration of King *Charles II.* affirming that the box and letters were at that time to be seen with the Marquis of *Douglas*; and it is thought by some, that they are still in that family, tho' others say they have since been seen at *Hamilton*. What pity it is that they are not sought out and engraven on brass!

Hence it is not easy to account for what we read in the *Naudæana*, that *Gabriel Naudé* saw these letters at *Rome*. If a printed copy is meant, it was no strange sight, nor was it necessary to go to *Rome* for it; and the pretended originals were not to be seen there, in his days, wherever they may be now. He adds, "That, for his part, he is willing to believe
" all that Monsr. *de Thou* and *Buchanan* have
" said of the Queen to be very true." A rash declaration to come so abruptly from a man of sense; it favours much of an interpolator's polluting hand; and these *Ana's* are known to be of little or no authority. But however it came there, it reflects little honour on Mr. *Naudé*. Every one knows that there were such letters, whether he saw them or not: But, unless he could have shewn that they were the Queen's own, this declaration is foolish. Yet as if it were to the purpose, we see it taken hold of it in a hodge-podge of impertinence

pertinence and blunders of divers people amassed together, and lately printed at *Aberdeen*, on account chiefly, as it would seem, of an obscene word, which in the *Naudeana* stands in a dead language ; but they have translated it, and insist on it, thereby displaying the impurity, as well as the malice, of their hearts. Who can but pity that poor weak *Man*, who is used as a vehicle for transmitting such rotten wares, and thereby exposed to be so miserably pelted, instead of the proprietors' !

The records that were made of these letters would be of little more use than the printed copies, for the discovery of the forgery ; so that we need not be very anxious about them. The extracts from them of such paragraphs as were thought most to the purpose, by the *English* commissioners, are still to be seen ^a. The letters were printed at *London* in the year 1571, at the end of *Buchanan's* detection, three in Latin, and all in the *Scottish* language, where they studied to preserve the *Scottish* dialect, that they might seem to have been published in *Scotland*, as *Cecil* gave out ^b; but their anxiety in that matter, made them sometimes mistake the older *English* syllabication for *Scottish*, putting *nat* for *not*, and the like, and thus betrayed themselves.

^a Append. p. 148. 150. ^b p. 376.

The first edition of the detection and letters in *French*, was also published at *London*, though it bears in the title-page that it was printed at *Edinburgh* by *Thomas Waltem*, as appears from its giving an account, fol. 82. of the execution of *Mather* and *Barney*, which it says happened in the beginning of that year 1572. Now these men were hanged, drawn and quartered, according to the *English* fashion, upon the 11th day of *February* that year, for treason against *Cecil**, and the printing of that book was finished upon the thirteenth day of the same month, as it testifies itself; and therefore must have been done at *London*, and not at *Edinburgh*.

It was a common custom in those days, that when the *English* court thought proper to publish any scandalous books, or pamphlets, they made the title-pages bear that they were printed in *Scotland*; such as these editions of the detection: the books *De furoribus Gallicis*: *Le Revielle matin*, both in *French* and in *Latin*, *Junius Brutus*, &c.

In the same Year 1572, the detection and letters were published at *St. Andrews* in *Scotland* by *Robert Leckprevik*, which *James Anderson* would impose upon us as the first edition, as also that it had been translated from the *Latin* by Mr. *Buchanan* himself: Neither of

* Pigges's ambassador, p. 166. Stow, &c.

of which is true. That they had been printed in *England* before that time, as was said already, we learn from *Alexander Hay's* letter to *Knox* ^a, dated the xiv. day of *December* 1571: And that the translation was made by some other person, who hath not always rightly apprehended the true meaning of the Latin, could be made appear at great length, if the matter were of any moment: But, whoever wants to see the truth, may find some examples in *Mr. Thomas Ruddiman's* notes upon that work. All these editions were consulted in printing the letters in this book.

It is to be observed, that the editions in the *Scottish* language have eight letters, and the *French* only seven. *Murray* actually presented eight ^b before the *English* commissioners, but they did quietly reject one of that number, and accepted of the other seven ^c only. Hence that one is wanting in the edition in *French*, which was certainly published at *London* by *Cecil*, notwithstanding all his dissimulation and assertions to the contrary, either in the book itself, or elsewhere ^d. He it was who drew up the supplement at the end of it against the *Queen* and *Duke of Norfolk*, and had all in readiness to be published, how soon the *Duke* should be beheaded, which, as he expected

^a *Append.* p. 371. ^b *P.* 87. ^c *P.* 235.

^d *P.* 375.

pected, should have been upon the 11th day of *February*.^a 1572. But that matter being put off for some time, to his great grief, he had a few alterations to make, and thus the book was finished at the printing-house only upon the 13th of that month.

C H A P. II.

Murray's Proof of the Letters to Bothwell examined.

OF all the evidences that were found out for proving the letters to be the Queen's own writing, the first in the proper natural order, though not in time, is a sort of stipulation betwixt *Murray* and *Morton*, in their privy-council, the xvi. day of *September* 1568, before they set out for *England*^b; by which *Morton* delivers up to *Murray* the box and letters in it; and *Murray*, in return, gives him an act of council, for his exoneration, containing an ample testimonial and declaration, "that *Morton* had all along
 "truly and honestly kept the said box, and
 "whole writings and pieces within the same,
 "without any alteration, augmentation, or
 "diminu-

^a Digges's ambassador, p. 166.

^b Append. p. 90.

“diminution thereof, in any part or portion;” then obliges himself to make them all forthcoming for the benefit of all concerned. I call this the first evidence in the natural order, because, although they had been the year before produced both in their council and parliament, there had never been any mention made how or when they got them. This deficiency is now made up; for in this act we are told, “that they were found with the late *George Dalglish*, servant to the Earl of *Bothwell*, “upon the xx. day of *June 1567*.” And thus all is well, had we been told who found them.

But here it comes naturally to be questioned, how *Murray* or his council, and especially he himself, who was in *France* at the time, could so readily and roundly attest, either that this box and letters were found with *Dalglish*, or that *Morton* had so honestly preserved them all that time, without any manner of change or alteration? This seems repugnant to common sense, and is so far from answering their purpose, that it affords the most vehement presumption of fraud.

Their acts of council and parliament * in *December 1567*, may be reckoned another of their evidences, for they cannot well be counted separately, because their act of parliament is nothing but the sag-end of their
act

* Append. p. 62. 66.

act of council ; which council was held for devising before-hand, ' how and by what ' means a full and perfect law and security ' might be obtained, and made, for all those ' who either by deed, counsel or subscription ' had entered in their cause since the beginning. And, the matter being largely, and ' with good deliberation reasoned at great ' length, and upon sundry days, at last the ' whole lords, barons and others could find ' no other way or means to find or make the ' said security, but by producing these letters ; ' which, they declared, they were most loth ' to do, for the love they bore to the Queen's ' person, who was once their sovereign, and ' for the reverence of his Majesty, whose ' mother she was, and also on account of *the* ' many good and excellent gifts wherewith ' God sometime endued her, if otherwise the ' sincerity of their intentions and proceedings ' from the beginning might have been known ' to foreign nations, and the inhabitants of ' this isle (of whom many as yet remained ' in suspense of judgment) satisfied and resolved of the righteousness of their quarrel ; ' and the security of themselves and their posterity, by any other means, could have ' been provided and established.'

Behold how lucky a hit this, that it should have chanced *Dalgleish* to be apprehended

with

with the letters, at a time of so great distress. These they produced in parliament, and obtained security in their own very terms, with the alteration of only one single word, but a most cruel and unlucky word it was, and might have undone all.

In their act of privy-council, which they presented by way of petition to their parliament, they had affirmed that the letters were written and subscribed by the Queen's own hand : But when they came to be produced before the parliament, O miserable neglect ! the subscription had even been forgotten to be added ; and when they had once appeared thus publickly without it, could never afterwards be supplied : And both the seal, it seems, and indorvation had been forgotten also *. No very inconsiderable defects !

The Parliament therefore could not find them to have been subscribed by her ; but they found them to be holograph ; for instead of saying they were *written and subscribed* with her own hand, as the act of council has it, they say the letters were *written wholly* with her own hand ; and all the rest of the act is in *Murray's* own or his council's words.

It may be said that it was proof enough, if the parliament found them to be written by her, altho' the subscription was wanting. But

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* Append. p. 389.

whoever will object this, ought first to satisfy us how papers, which upon the iv. of *December* are affirmed by an assembly of twenty eight persons, to have been subscribed, came to appear thereafter not to have been subscribed, nor ever after pretended to have been so by those very persons themselves, when so often mentioned *. For though this circumstance may at first view appear small and trifling, any thinking person who maturely considers it, will perceive that they had designed to have presented their letters to the parliament formally subscribed by the Queen, by what ever mishap it fell out that it was not done; and then it will become extremely hard to believe that any of these letters had been written by her, any more than subscribed, even although the parliament had sworn to it.

If any body shall express their amazement how the parliament could have allowed an act to pass in their name, in which it was said, that these letters were wholly written by the Queen's own hand; I refer them to the reasons given for their conduct in that matter by a numerous assembly of the greatest personages in the kingdom, of whom many were there present, *viz.* ' There was nothing done ' in their parliament that might prejudice the
Queen's

* Append. p. 67. 87. 92. 235.

‘ Queen’s honour in any sort, her Grace ne-
‘ ver having been called nor accused there-
‘ of: for what was done was not to declare
‘ her Grace guilty of any crime, which of
‘ reason noways could be done against her
‘ Majesty uncalled; but only an act made
‘ for safety of themselves from forfeiture, who
‘ treasonably had put hands on her Majesty’s
‘ most noble person, and imprisoned her Grace,
‘ only founding their proceedings upon just
‘ meaning, as they alledged; which fundry
‘ noblemen who were her Grace’s favour-
‘ ers, then present, bore withal, most prin-
‘ cipally for safety of her Grace’s life, which,
‘ before their coming to parliament, was
‘ concluded and subscribed by a great part
‘ of those who had seized her person, to
‘ be taken from her in most cruel manner, as
‘ is notoriously known; suppose fundry of
‘ the noblemen, partakers with themselves,
‘ refused to subscribe the same, or consent to
‘ her death in any ways.

‘ And in case any such act had been made,
‘ the same cannot prejudice her Majesty in any
‘ sort, in respect they had no lawful power to
‘ hold a parliament. And also it is against all
‘ laws and reason to condemn any creature on
‘ life, until they be first called to use their
‘ lawful defences, or, at least presented in
‘ judgment and heard.

‘ And likewise it is against all laws and reason, and also it was never seen in practice, that ever the subjects were judges of the Prince, but should always obey them, zea, albeit they be wicked, as the scripture declares ’.

This is the true state of the matter. We see by their own petition, drawn up in their council, that they desired to have it enacted thus and thus, only as a full and perfect law and security for themselves and their posterity; which they affirm they could not devise by any other means. *Murray* with twenty seven of his *satellites* or partisans, who were all petitioners for it, and so ought not to have been present, sat and voted for having it past; and all who favoured the Queen were obliged to consent to let them have that security, in their own terms, lest they should murder her: which some of them had concluded to have been done, and had subscribed a covenant for that end; and *George Buchanan*, who that very year had been moderator of the general assembly of the kirk, had by this time prepared his dialogue *de jure regni*, for justifying all these purposes, from which one may well learn what was in agitation.

If it shall seem strange that any of these men, who so amply testified the great love and goodwill that they bore to her person, on account
of

of her high rank, and many good and excellent gifts and virtues, should have been at the very same time consulting and covenanting to cut her off; there is nothing in this more than the same persons did over again the next year, while they declare their devotion, private affection, and good wishes towards her, both for private and publick respects, and acknowledge the most part of them were bound to her for benefits received at her hands; and yet in the same paper will have *Q. Elizabeth* to crave her husband's blood at her hands, as being bound so to do by God's ordinance^a, and at the next meeting, *Elizabeth* and they together prevailed with that weak man the Earl of *Lenox* to give in a petition to the same purpose^b. And this may suffice to shew that there are no great things to be built upon these acts of their council and parliament: Not to insist that men of as great judgment as were among them, affirmed that the letters were none of her writing^c.

It is still to be kept in remembrance, that these letters had past both in their privy-council and parliament, without any account given how, or when they should have come to their hands. *Dalgleish* was then alive, and possibly might have denied that ever he had them. But he being put to a cruel death amongst others,

others, in *January* following 1568, the box was said, at its next appearance to have been found with him, upon the xx. day of *June* 1567 : But by whom is not said, in either of the two receipts that are granted for it *. It would seem *Dalgleish* had not been apprehended by *Morton* himself ; and thence would arise a chasm in the progress of the letters, which, as is commonly received, was from the Queen to *Nicholas Hubert*, or *French Paris*, who gave them to *Bathwell*, who gave them to Sir *James Balfour*, who gave them to *Dalgleish*, from whom they were taken by *Morton*, who gave them to *Murray*, after he kept them truly and honestly for near xv. months, as *Murray* beareth witness. But that ever Sir *James Balfour* had them, or that *Morton* had them from *Dalgleish*, no man is warranted to say, by any original accounts of them that appear at present. They must have past through as many hands at least, and probably more : But here we are as yet in the dark. *Morton's* declaration of the manner how he came by them, which he exhibited before the *English* commissioners upon the ix. day of *December* 1568, ought surely to have cleared up this matter, which perhaps it may do afterwards, for at present it cannot be found.

Were

Were people at liberty to form their judgment concerning the matter from such short hints as occur, it behoved them to conceive of it as not a little mysterious. Thus the *English* commissioners, after *Murray's* deputies had instructed them privately in these matters^a, upon the x. day of *October*, use the following words, in relation to the manner how the box, &c. was found : “ The manner how “ these men came by them is such as, it “ seemeth, that God, in whose sight murder and bloodshed of the innocent is abominable, would not permit the same to be “ hid, or concealed.” Something very uncommon is always hinted at, whenever this affair is mentioned^b.

As the whole stress, in a manner, of the cause depends fundamentally upon this declaration (for without it, what would all the rest signify ?) we must allow that there has been something in it. There is indeed an obvious and weighty objection, *Morton* had always been in a confederacy with the enemies of his country, and partaker in its spoils; both before, at, and after the reformation; and was one of the principal assassines when *David Rizio* was murdered, and the Queen so horribly abused, and made prisoner; that he was also one of the
con-

^a Append. p. 140, 143.

^b P. 83. 92. 241. 256.

contrivers and executors of the king's murder; and, lastly, the ringleader in imprisoning the Queen in *Lochlevin*; therefore his oaths and declarations could hardly have been regarded, or accepted, in any cause, far less in this, could his single testimony be received for the basis of the whole fabrick. On the other hand, it is to be considered, that if these, or the like objections, should have been allowed of, they would have debarred all the rest, as well as him, from bearing testimony in this cause, as they had been all more or less concerned in the same transactions; by which means our famous letters would have been rendered quite insignificant, and we should also have been deprived of the declaration by *Murray* and all the rest of his commissioners the next day, which may be esteemed as the capital of all. It is in these words:

“ We, ^b by the tenor hereof, testify, avow
 “ and affirm, upon our honours and con-
 “ sciences, that the whole missive writings,
 “ sonets, obligations and contracts, are un-
 “ doubtedly the said Queen's proper hand-
 “ writ; except the contract in *Scots*, dated
 “ at *Seton* the v. day of *April* 1567, written
 “ by the Earl of *Huntly*, which also we under-
 “ stand and perfectly know to be subscribed
 by

“ by her, and will take the same upon our
“ honours and consciences, &c.

But no man ought to overload his conscience; and whoever sweats more than he can know, doth no service to the cause, but hurt. Other people use to swear that they truly believe, or are persuaded, that this or that paper is of such a person's writing: But here all is point blank, undoubted knowledge and perfect certainty in this declaration, which was given for corroboration of their oath made before ^a, as if that had not been sufficient.

And their swearing so positively to the Queen's bare subscription, consisting only of six letters^b, of which one might easily forge a hundred in a day, so as neither she herself, nor any of them could be able to discern the difference, discovers such a keenness and resolution to go through stitch with their matters, as in men who must have been acquainted with the nature of writings and of oaths, can be called by no other proper appellation, than that of deliberate perjury. All men, 'tis likely, will not sufficiently comprehend the ground of this observation; but the most part of fine writers and engravers know that the matter is so, and they are the most competent judges;
I which

^a Append. p. 122. 199, &c.

^b P. 379. 180. 184. 187, &c.

which is enough to me. They swear at the same time that the Earl of *Huntly* wrote the paper at which this subscription was ^a: ought they not also to have proved his hand-writing, or to have got him to acknowledge the fact some way or other?

Hitherto we have spoke only of what may be strictly called home-proofs, as depending wholly upon their own knowledge and consciences. Now as to their auxiliaries:

They introduced one *Thomas Crawford*, whom they call a gentleman of the Earl of *Lenox's* ^b, as the person of whose conference with the Queen, on her way to *Glasgow*, some mention is made in the first letter ^c; and he swore to some words that then past betwixt the Queen and him. But what trifling, what penury of evidence was this! the Queen surely was not alone with *Crawford* upon the road to *Glasgow*; and thus other persons of her retinue might have known what words past, as well as either of them, and from them these words might have come into the letters; or, what hindered but *Crawford* might have divulged them himself? so whether he swore true or not as to that matter, it is the same thing. Yet though this part of his testimony was idle, that which follows

was

^a Append. p. 246. ^b p. 1.

^c See it, Append. p. 54.

was not so. He fell upon a way to swear to most of the contents of that letter, without seeing it, and it is as long as all the rest put together : And a very certain way it was :

For he swore ^a, ‘ That as soon as the
‘ Queen of Scots had spoken with the King
‘ his master at *Glasgow*, from time to time,
‘ he, *Crawford*, was secretly informed by the
‘ King of all things which had passed betwixt
‘ the Queen and the King, to the intent that
‘ he should report the same to the Earl of
‘ *Lenox*, his master ; because the said Earl
‘ durst not then, for displeasure of the Queen,
‘ come abroad ! and that he did immediately
‘ at the very time, write the same, word by
‘ word, as near as he possibly could carry the
‘ same away ; And, sure he was, that the
‘ words now reported in his writing, con-
‘ cerning the communication between the
‘ Queen of Scots and him, upon the way near
‘ *Glasgow*, are the very same words, in his
‘ conscience, that were spoken : And that the
‘ others, reported to him by the King, were
‘ the same in effect and substance, as they
‘ were delivered by the King to him, though
‘ not perhaps the very words themselves.
[One would think they might have been
in the very same words.] *Causa scientie
patet.*

The Earl of *Lenox* indeed was never much worth; and if he did not see the Queen on that occasion, it may be thought he has not been on the mending hand. But what then? let the gentleman's evidence be considered. Give ear, ye politicians, and state judges! We have read and heard of screwing up an evidence to the just tone; of twisting and torturing a letter, or the like, till it would bear the proper intended meaning; of straining and stretching a paragraph of statute, till a man, perhaps not much beloved by the Great or Godly, might, by a select jury, be believed to be within the verge: But say, Can it be made appear from all your journals, that such a matchless masterly testimony, so clear and convincing, was ever given, or received by any of you, as that the evidence should have had a copy of a Queen's billet-doux in his pocket, wherewith to convict her, without ever having seen the original; nay even before she could have had time to write it? 'Tis thought it cannot be done. But what did I say? a copy! that it could not be: they were both originals; and the one might well have past for the other, had not *Crawford's* been subscribed, while the other wanted the subscription.

This matter then seems to be near at a point. There is no room left for answering. *Crawfurd*, who knew best, has sworn clear
and

and full : And let any man swear the contrary, who can. So it is hoped every one is by this time fully and entirely satisfied of the capacity and integrity as well of *Crawford* the evidence, as of *Murray* and *Morton* plaintiffs, and of the most honourable the judges; as also with regard to the letters, whether they are not to be reckoned genuine ; for there can be no doubt from the very beginning as to *Crawford*'s copy, because he acknowledged the writing, and swore to it in open court : But if any reader doth not as yet find himself convinced, he will do best to stop short here ; for all that is to follow will have no effect upon him.

There still remains another testimony of the subsidiary kind; which appeared not till nearly eight months after their proof at *London* had been concluded ; and that arose from two confessions of *Nicholas Hubert*, otherwise called *French Paris*, who is said to have carried almost all the letters betwixt the Queen and the Earl of *Bothwell*. The last confession is here printed ^a, it being the most material, and clear in all points. It contains not only a particular account upon what occasions the letters were written and sent, but also expresses his knowledge of some remarkable points contained in them, which had been communicated to him, with plain tokens
and

^a Append. p. 76.

and circumstances; as that he himself delivered to the Earl, not only the first letter, but also the bracelets therein-mentioned : That letter likewise, which is here printed in the last place, past through his hands, together with the ring that is said to be sent along with it ^a. In like manner he was the bearer of one of the letters for the rape, which he delivered to the Earl out of his own hand, and got from him an answer making for that purpose. He gives particular and plain indications of the Queen's privity to the contrivance and execution of the murder, which none of the rest, who had formerly been put to death as guilty of that crime, had ever touched upon ; for not one of them had said a word against the Queen at all ^b. In short, he is as clear with relation to the Queen's guilt, both in the murder and rape, as he is to the Earl's, with whom he was present at both. So that had he been at *London* to bear testimony along with *Thomas Crawford*, their joint evidence would surely have appeared so clear and ample, as they must needs have borne down all opposition, doubt or contradiction ; especially when it is considered, that *Paris* made this confession against his own life, and was put to a cruel death on that very account : So that it is hardly to be imagined

^a Append. p. 44. ^b Anderson's collect. V. 2. p. 165--172.

gined, that he would have uttered any thing that was not strictly true.

Yet not the less, however clear and particular these testimonies may appear, if the letters themselves shall after all happen to be disprov'd, what will become of the testimonies? And how will any one be able to account for them? 'Tis manifest they must stand or fall together; for which reason I shall defer the consideration of the testimonies, till the letters are first discussed.

C H A P. III.

*The insufficiency of the Letters for
absolving Murray's party, or pro-
ving their accusation of the Queen.*

LET us now consider the ends for which these letters were produced, and examine whether they were sufficient for obtaining those ends. The first and chief purpose, as hath been said already *, was, that this might be a foundation for a full and perfect law and security for them and their posterity; and that it might be declared, ' That they,

in

* Above p. 42.

in taking arms, and imprisoning the Queen, had done the duty of noblemen and good subjects, and in no ways had offended, or transgressed the laws in that fact, or any thing depending thereon, either preceeding, or following the same : And therefore should be innocent, free, and acquit of the same, and of all action and cause, criminal or civil, that might be commenced against them, &c ^a. And for the reason mentioned above ^b, they got an act past for that purpose in their parliament, where, as they affirm, there was a greater assembly of the estates, than had been for a hundred years before ^c; which they vapoured upon at *London*, as a matter that added no small weight to all their transactions. There were certainly more provosts of petty burghs at it than perhaps ever had been in any *Scots* parliament before; why did they not tell that likewise? As also that their parliament was not very unanimous in their proceedings, but there were protestations made against some things relating to the Queen, of which protestations they would not suffer their clerks afterwards to give out copies or extracts ^d?

But had they been all unanimous, and ten thousand times more numerous than they were

^a Append. p. 62. 65. 66. 69. ^b P. 45, 36.

^c P. 87. 258. ^d p. 169.

were, that act was altogether unjustifiable and absurd : For no parliaments, no assemblies of men or angels could have made it lawful and right in them, to have taken and imprisoned their Sovereign upon the fifteenth and sixteenth days of *June*, on account of these letters, which they pretend to have found only upon the twentieth day of that month ^a, when the matter was all over : After five days, yea five hours was in this case the same, as after five revolutions of *Saturn* : For thus they were equally criminal as if their letters had never been found nor heard of, or even never had existed. But indeed when they had shut up their beneficent Sovereign in prison, and usurped her authority and riches, it became in a manner necessary to find the letters, or some other pretence of the like nature, which they might give out as a reason for so doing; and they themselves affirm, that they could find no other way or means for their own vindication or security ^b.

Oh ! but it has been said, and probably will be said again ; Not so fast. *Judge not that ye be not judged.* CHARITY is a christian duty ; and MODERATION is still a virtue, which becomes persons of all ranks, and adorns all sexes and ages. These men, as being men, might possibly have tript in some
m circum-

^a Append. p 90. 91. ^b p. 63.

circumstances, such as in a point of regularity in their proceedings ; but beware what you say. Consider that these were the very persons who some years before, even in the years MDLIX. and MDLX. brought about such glorious things in the fear of the Lord, as is well known ; for so they themselves, who knew best, always professed and declared. Think upon this, and then tell us, whether it is not reasonable to believe, that they proceeded here also upon righteous motives and just and solid grounds. Were not ‘ their hearts moved, (they declared it at *York*^a) so that they ‘ thought nothing more *godly*, nor more *honourable* in the sight of the world, than, by ‘ punishing the Earl of *Botbwell*, chief author ‘ of the King’s murder, to relieve others innocently calumniated on that account ; to ‘ put the Queen to freedom from the bondage ‘ of that tyrant, who presumptuously had enterprised to ravish and marry her (whose ‘ lawful husband he could not be, neither ‘ she ‘ his lawful wife) and to preserve the innocent person of their native Prince, from the ‘ hands of him who had murdered his father ? ‘ The profession of the true religion could not ‘ permit them to do any less ; and had they ‘ not done so, *Scotland* could not have continued in the state of a kingdom ^b.’

These

^a Append. p. 145. ^b p. 205.

These men therefore are to be looked upon as avengers of innocent blood, zealous supporters of religion, and vindicators of publick justice, the most loyal subjects, and true patriots. What although they had not got the letters, till after they had secured the Queen, and taken the government of the kingdom, and all her riches, revenues and jewels under their care? Might they not have had strong inward impressions, or even revelations, as they wanted not prophets among them, witness *John Knox*, that such papers would sometime be found? It might be so, for aught you know. How then can you have the assurance, for the difference of five or six days only, to insinuate, much more to mention, such things as forgery, perjury, and perhaps murder too? *Fy, fy!* presumptuous creature! these are unseemly hard words. A man ought at least to have some regard for his own reputation. Will ye wantonly expose yourself to reproach and scorn? Do ye think that, at this rate, any of the more polite gentlemen or ladies will read your book? No! such language is not to be tolerated, &c.

This last part of the argument will be found of small force in the present case. And as to the rest; Was it ever heard that people who now form such objections, did ever yet complain of lack of moderation in *Murray's* and

his party's swearings, or in *George Buchanan's* writings? Were they privileged and warranted to write and swear their Sovereign and great benefactress, into notorious open adultery, and the murder of her husband to boot, in the most positive language imaginable, when they knew their charge to be most false? And must that be still allowed to pass for gospel, without contradiction? so that others must not venture to say, that these men were guilty of the crimes of which they stand manifestly convicted by their own avowed foul writings and scandalous records; but must be run down, and represented as breaking through the bounds of all religion, natural and revealed, and trampling even common decency under foot?

Some people's actions, it must be confessed, are so extravagantly gross and hideous, that there is no danger of affixing too strong epithets to them, because, to furnish the proper language for them, the dictionary would scarce suffice; And yet a modest man, tho' he can swear to the truth of the facts, will decline to give a full and plain detail of them, unless he is brought upon oath; so that do it he must. And one who writes of characters and facts in the historical way, is under a moral obligation to be as careful and cautious about what he says,

says, as if he were sworn, and therefore must speak out, without minding consequences. Or, is the old rule reversed, so that now it is, *Ne quid veri dicere audeat ; ne quid falsi non audeat*, for moderation's sake ? Moderation is certainly an amiable, decent, comely, well bred gentlewoman ; No man in his senses ever denied it ; But there are courtezans too, who strole about in the very same dress, and impose upon the unwary. One who in a disputed point betwixt facts, or characters in history, tells truth moderately, that is mincingly, differs but in a small degree from him who tells lies moderately. However that there is any intemperate language here, I know not ; but if it shall appear so to others, let them consider whether it is not excess of truth that makes it so.

Ay, but have not some meek men written upon the like controversy with more temper ? No ; they have not, if the subject be attended to ; for a parallel case never yet existed. Let the criticks wait till that happens : Then, and not till then can they be at liberty to make comparisons.

As to the suggestion, that the party might possibly have had reasonable suspicion of the Queen's guilt before-hand ; the very apology makes against them. Do not we find
them

them all along saying ^a; and swearing ^b, in their declarations, proclamations, associations and answers, that they took arms, as they express the matter, to set the Queen at liberty; which they effected, by shutting her up a close prisoner in *Lochevin* fortress, before they pretend to have found their letters? and then extorted her subscription to a dimission of her crown, in their own favours, for fear of death, with which she was threatned by one, whom she knew to be sufficiently capable to execute it, even by ^c *Patrick Lord Lindsay*, because she knew both him and his chief employer (I'm not able to reduce the word to a moderate size) to be assassines.

But surely their swearing will never persuade any mortal in his senses, that this was a proper method for setting the Queen at liberty: And yet, their swearing that this was their intention, excludes entirely the new invented pretence, that they might possibly before hand have suspected the Queen's guilt, and expected soon to find proof thereof. The weakness of this Apology they seem to have been aware of themselves, when they swore at *York*, that they shut her up in prison directly ^c, because she " threatned to be avenged

^a *Anderson's collections*, vol. 1. part 2. p. 129. 133. 138.
^b *Append.* p. 122. 145. ^c P. 167. 362. ^d P. 145.

“ged on them all, and offered to leave and
 “give over the realm and all, so that she
 “might be suffered to possess the murderer
 “of her husband.” The absurdity of which
 tale appears from this, that they confess she
 came over to them voluntarily ^a, and doubt-
 less upon the fairest promises on their part ^b.
 Had they therefore observed their promises,
 there had been no room for her threats. On
 the contrary, no shadow of reason can be ima-
 gined why the Queen should have voluntari-
 ly gone over to them, even upon their fair
 promises, but that she never did, nor could,
 fully approve of that forced marriage to which
 she had been constrained by the solicitations
 of her best well-wishers in the kingdom, with
 whom also her enemies had joined in giving
 a Bond to the Earl of *Bothwell* for the de-
 claration of his innocence in the murder of
 the King, and for promoting that marriage at
 any rate, without asking her consent; recom-
 mending the Earl as the fittest man in all
Scotland; and among those were the ring-
 leaders who afterwards pretended to accuse
 him, and actually imprisoned her. Surely
 they had forgot to write the letter to *Both-
 well*, which *Melvill* tells us ^c they pretended
 to have intercepted, and on which they then
 founded the cause of her imprisonment, or
 else

^a Append. p. 145. ^b P. 164. 165. ^c Mem. p. 84.

else it had been produced to verify their assertions. But all is falshood and contradiction, every one as well of their stories, as oaths being inconsistent with another, from first to last. The true cause of imprisoning her, was neither on account of her threats, or of her letters written, or to be written, found or to be found, but to complete their own conspiracy, into which they had entred two years before, when she was about to marry Lord *Darnly* Earl of *Ross*; for then they covenanted “to slay him and his father, and divers
 “other noblemen then about the Queen, and
 “to make the Queen herself prisoner in
 “*Lochlevin*, for all the days of her life, and
 “the Earl of *Murray* to have usurped the
 “government;” as is acknowledged and affirmed by three that were on the plot, namely, the Earls of *Argyle* and *Rothes* and Lord *Boyd*. All these three events happened, two of them certainly by the very same party’s means; and can it be doubted as to the third? This is the only true reason for shutting her up prisoner in *Lochlevin*, before they found those letters, which they afterwards alledged for their justification.

But how shameless was it to swear, that the Queen said she would leave kingdom, and all, *to possess the murderer of her husband!* Can any mortal

mortal believe it? Oh, but it may be said, the Queen probably named the Duke of *Orkney*, who was in fact the murderer of her husband: As if these were so necessarily convertible terms, that they might be changed at pleasure, by people upon oath! So far was it from being possible for the Queen to have expressed herself in these terms, that our deponents do not pretend to have had any tolerable knowledge or certainty even of *Bothwell's* guilt, till the xxiii. and xxvi. days of *June*, that is, even after their finding the letters, as is clear from their own acts and proclamation upon the said xxvi. of *June* ^a. Yet this is not more gross than their words immediately following, That the Queen finding herself wearied of the government, so that her body, spirit and senses were altogether unable longer to occupy the same, she renounced it, in favour of her son. If perjury stares one broad in the face, almost in every paragraph of their writings, they only and the persons who prompted and admitted it are answerable for it.

And as to their godly and honourable designs of which they talk, of what kind could that godliness be that prompted them, for their pains in dethroning the Queen, to usurp to themselves her kingdom, and seize her
n. riches

^a *Anderson's collect.* vol. 1. part 2. p. 139. vol. 2. p. 165. 173. *Bp. Keith's hist.* p. 407.

riches and revenues to their own use, of all which, supposing she had been justly set aside, not the least article could have appertained to them, but, as was well known and established, devolved by law, immediately after her, upon the Duke of *Chastelberault*, who certainly had written none of the letters to *Bothwell*, nor had been present with him at the King's murder, because he was then in *France*, and ought not therefore to have been deprived of his just right.

If it shall be alledged that this matter was already argued and adjudged, at the conclusion of the conferences at *London* and *Westminster*; where *Q. Elizabeth*, after a full hearing, gave her sentence against the Duke, as appears from the whole process concerning it, faithfully entered in *George Buchanan's* history ^a: The answer is, that all *George Buchanan's* stories are not true *Sterling*; for which reason, 'tis hoped, that the following chapters may serve to set him aside from bearing testimony hereafter in any cause. The matter of fact was thus:

The *English* commissioners at *York*, had, upon the 20th of *October* desired the *Scots* commissioners of both sides to declare their opinions as to the government of the realm, during the minority of the Prince: The Queen's
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^a. Lib. 19. p. 375.

commissioners declared the law and practice to be in favour of the nearest lawfully descended of the blood royal, being of perfect age^a, as was and is well known to have been the case. *Murray* and his partners declared that the Governor was elective, supporting themselves by many falsehoods^b, as will be obvious to all who are tolerably acquainted with the history of our country. But *Murray* altogether disrelishing the question, which he knew to be by no means tenable for his purpose; and it being now resolved that the further hearing of the cause should be at *London*, the very next day he offers and proposes some requests to Queen *Elizabeth*^c, and this particularly among the rest;

‘ Because his Grace (*Murray*) understands
 ‘ somewhat to be meant and spoken by his ad-
 ‘ versaries, of the Duke of *Chastelherault*’s
 ‘ right, as well to the succession as to the go-
 ‘ vernment and administration, during our So-
 ‘ vereign’s minority, beseeches her Majesty that
 ‘ no mention be made hereof (as a cause im-
 ‘ pertinent to the action in hand, for which
 ‘ this convention was appointed) in this pre-
 ‘ sent colloquy and assembly: For that the
 ‘ question of succession during the King our
 ‘ master’s

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^a *Cecil’s state papers*, p. 484.

^b *Ibid.* p. 485.

^c Paper office, 21. October 1568.

‘ master’s life, is not fit to enter in by him :
 ‘ At least he hath no cause to complain of
 ‘ wrong, or hurt, during our said Sovereign’s
 ‘ life, whom God preserve. And as to the
 ‘ administration and government; for the cau-
 ‘ ses above specified, it cannot be mentioned
 ‘ at this present, but with danger to that state :
 ‘ For upon the one part that should be, as
 ‘ it were, an ensign displayed, whereunto
 ‘ all the little and small particular factions,
 ‘ (wherewith the state, to our great grief, a-
 ‘ bounds) should and might retire them, to
 ‘ save themselves, and trouble that state, and
 ‘ boldly contemn the *just authority*, and the
 ‘ laws: Such as are the *whole murderers* of our
 ‘ sovereign Lord’s father, and *their dependents* ;
 ‘ *the whole dependents and well-willers of the*
 ‘ *Earl of Bothwell* ; *the whole Papists* ; the
 ‘ whole faction of those that hate the union in
 ‘ amity of these two nations, &c.— His
 ‘ Grace doth marvel, that the Queen’s maje-
 ‘ sty, for any cause, might be induced, at this
 ‘ present, to enter into that purpose, being
 ‘ so dangerous, as said is, to the troubling,
 ‘ and continuing in trouble of that state,
 ‘ whereof an special care must now ly up-
 ‘ on her Majesty’s shoulders in many re-
 ‘ spects, &c.’— To conclude, ‘ either the
 ‘ Queen’s majesty must directly, and without
 ‘ delay, establish that state, under the *present*
 ‘ *govern-*

‘ government and authority, or else, by delay-
 ‘ ing thereof, nourish faction, comfort the
 ‘ wicked and seditious, hurt her friends, main-
 ‘ tain her enemies, endanger the state of reli-
 ‘ gion, and the amity, and, by division of au-
 ‘ thority, provoke the entry of strangers with-
 ‘ in the isle : All which inconveniencies are
 ‘ without difficulty, and with small charges,
 ‘ taken away, in joining with the present au-
 ‘ thority and government, &c.

See how earnestly *Murray* presses *Q. Elizabeth* to smother this question entirely; which it would seem was done, for ought that yet hath appeared, excepting in Mr. *Buchanan’s* book. It were to be wished, upon *Q. Elizabeth’s* account, that nothing more might ever appear concerning it ; because the reasons upon which her sentence is there said to have been founded, do not seem so perspicuous and cogent as would be requisite before a man could be deprived of his right, in a matter of so high consequence ; on the other hand, for *Buchanan’s* sake, it might be wish’d that her sentence could be produced, lest men, who do not believe in him, should surmise that he made it himself.

Now their depriving the Duke of *Chastellerault* of his right, and seizing it to themselves, proves manifestly that power and great riches was all the godliness that they pursued : And
 who

who could ever after that doubt, but out of the same spirit of avarice and ambition, they would have endeavoured to dethrone the Queen herself, tho' altogether innocent, that they might possess themselves of all? And then they might invent reasons and crimes at their leisure. But among all the usurpers that are to be found in history, they were the most unlucky in telling their tales consistently, which could proceed from no other cause imaginable, but that they had nothing true to alledge, nor were able to invent any thing credible or passable against a character so high and well known; any thing which could stand the test, and be rationally accounted for, upon any sort of strict examination. For it is plain fact, that the more they laboured to fix their impudent fictions upon the Queen, the deeper they stuck in the mire, and the more they disclosed their own falsehoods and forgeries: Insomuch that had not the keenness and earnestness that possessed both them and Q. *Elizabeth* to have her esteem'd guilty, prompted them to lead such a proof of the letters, &c. as could be contrived, and then to publish them to the world, it had not been possible, neither at that time, nor at present, to have detected their wicked procedure so fully and clearly, as we are thereby enabled to do.

The second of the principal reasons for producing the letters, was, to shew ‘ That the
‘ Queen was in the foreknowledge, counsel
‘ and device ; and persuaded and commanded
‘ that her husband should be murdered ; and,
‘ after that was done, fortified and maintained
‘ the murderers ^a.’ A heavy charge ! but which, had it been true, came with a very ill grace from them, even had they been her equals, and manifested the highest ingratitude imaginable. They themselves, with the very same breath by which they accuse her, do acknowledge that the most part of them were bound to her for benefits received at her hands ^b ; and altho’ they had denied the fact, we could prove it. On *Murray* and *Mar* she had freely and entirely bestowed their Earldoms, besides many other gifts and offices. *Morton* was nothing behind with the former two. That Earldom had been in her father’s hands at his death ; and so came under her revocation ; which he well knowing, had resigned it into her hands, and obtained from her a new gift of the same, which she confirmed to him in parliament, the xix. day of *April*, that very year in which they dethroned and imprisoned her. Besides, that she had made him Chancellor of *Scotland*, and had conferred several other gifts upon him, before

^a Append. p. 205. ^b Ibid.

fore the murder of *David Rizio*. The Lord *Lindsay* also she made Sheriff of *Fife*, &c.

And not only so, but when the Earls of *Murray* and *Morton*, together with the Earl of *Glencairn*, the Lords *Rutbven* and *Lindsay*, the young laird of *Lethington*, and *Kirkaldy* of *Grange*, and, in short, the chief of those men who rose up against her, had forfeited their lives and estates, some of them by open treason and rebellion, and others by assassinating *Rizio*, her secretary for *French* affairs, before her face, within her own chamber, in the palace of *Holy-rood-house*, where they had treasonably confined her person; she had given all of them remissions for their lives, and confirmed to them their estates. The Earl of *Lenox* had shamelessly betrayed the King of *France*, his master, and converted to his own use a sum of money with which he had been intrusted, to deliver it to that King's friends in *Scotland*, for support and defence of the Queen, and of the kingdom. He had openly broken out in rebellion, but proving unsuccessful, had submitted himself: But then instead of performing his promises, he stole away privately, entered into a bargain with *Henry VIII.* of *England*, by which they were to divide *Scotland*, forsooth, betwixt them, of which the latter was to have that part on the south side of *Forth*, and the former all the
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rest^a. And the method which he took to bring all this to pass was, by becoming to the *English*, those perpetual, malicious, and inhuman enemies of his country, a leader and conductor for destroying it with fire and sword, by sea and land, so far as they were able; with other practices equally shocking, disgraceful and unmanly: For which he was most deservedly forfeited. Yet even him the Queen restored, and married his eldest son, whose mother was, after the Queen herself, the next heir of the crown of *England*, thinking thereby to cut off all pretences from that giddy nation, for opposing her own unquestionable right. Thus *Lenox*, from being a pensioner and mean dependent upon a fickle and wicked court, was put in a condition of becoming the greatest man in the three kingdoms, next after his son, had his spirit been equal to so good fortune. And *George Buchanan* too, the panegyrist and historian of these worthies, after he had tried to push his fortune throughout divers kingdoms, as a soldier, pedagogue, school-master and poet, returning home at last, in the true condition of a strolling poet, received from the Queen a yearly pension of five hundred pounds *Scots* during life, which was, at that time, of more value than any ecclesiastical living in *Scotland* is at this day.

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^a Rymer's *foedera*, Vol. 15. p. 22. 29, &c.

Could any person have imagined that these men would first have bestirred themselves against a Sovereign so beneficent to them ? Oh ! but it will be said, the holiness of their religion, and their strict regard to justice, was such, that gratitude, and all other worldly respects must give place. Well, although one can scarce have patience to hear religion and justice alledged as motives for the behaviour of men confessedly guilty of so atrocious crimes, let it be supposed for once, that they thought their religion had intitled them to a perfect monopoly of all crimes ; so that they, and they only, were at liberty to commit them ; yet still it might have been expected that some one or other of the points, or articles, of the accusation should be made out clearly by the proof. But nothing of that is to be seen in the present case. There is nothing in the letters that could plainly shew the writer to have been in the foreknowledge, counsel or device of any murder, far less to have persuaded or commanded it ; and as little is there about maintaining or justifying any murderers. Nor will it seem very strange to any, who reflect upon what has been proved, about the bargain betwixt Queen *Elizabeth* and *Murray*, that the letters were received by her as sufficient proof of matters which they do not prove at all ; for they might have

for proving the Facts alleged. 77

have past there, altho' they had been blanks; in regard these equitable judges, in confederacy with these fair accusers, kept all private among themselves.

But though these letters do by no means prove the facts for which they were produced; they contain several things mean and base, highly unbecoming any woman; but absolutely impossible to have dropt from the pen of this accomplished Princess; one possessor of a soul so noble, born in a station and character so highly exalted; tenacious of her dignity and honour, even amidst the utmost malevolence of fortune; and never resigning but with her last breath, the conscious sense of virtue and decorum. Therefore, in the next place, let us see whether it may be made appear manifestly and unanswerably, that they were none of the Queen's writing, but the real manufacture of *Murray's* own party, whose character every thing in them exactly suits.

C H A P. IV.

The Examination of the Letters.

JAMES Earl of *Murray* was the first man, for ought that has yet appeared, who expressed in writing his scruples about

the genuineness and sufficiency of the letters to *Bothwell*, ' which, he said, might possibly ' be called in doubt by the *English* judges, whether they might stand, or fall; prove, or not ^a.? Thus he expressed himself upon the xxii day of *June* MDLXVIII. 'Tis very true he had before that time, on the iv. day of *December* MDLXVII, asserted positively enough, that they were both written and subscribed by the Queen, in which he happened to be not a little mistaken, as has been observed already ^b, for subscribed, at least, they were not. Again, on the viii. of *December*, the very next year, he produced the same letters, I suppose, upon oath, as written in *French* by the Queen's own hand ^c; and on the 10th of that month, he and his companions exhibited a new separate declaration, upon their honours and consciences, that they were undoubtedly the Queen's proper hand-writing, and that they perfectly knew them to be so ^d.

Such confident assertions and positive oaths are no otherwise to be reconciled with doubts, than light with darkness. If it should be said, that *Murray* indeed was entirely persuaded for his own part, and doubted only that the matter might appear less certain or evident to others, even that would be a very awkward

^a Append. p 75. ^b Above, p. 43.

^c Append. p. 235. ^d P. 92.

awkward supposition : For in a man, who perfectly knows that he is possess'd of genuine papers, it is unnatural and incongruous to call in question whether or not they will be acknowledged as such by others.

To forge letters for Queen MARY was no easy matter. To her natural parts, which were great, she had added more learning than the half of her enemies put together could pretend to. She spoke almost all the *European* languages, and possess'd a great taste in the fine arts. The *French* was as it were her mother-tongue, which she spoke and wrote in all the perfection that was to be found at the court of *France*. Her hand-writing was formed after what is commonly called *Italick* print, which it much resembled both in beauty and regularity, and not to be easily imitated but by a fine writer. When such a writer was found he must write *French* too, and that as well as the Queen, to which few, even of the natives of *France*, could pretend : And not only so, but he must be acquainted with persons and transactions about her court, so as to make proper allusions, lest her Majesty should appear to write quite out of character, which would have spoiled all.

To compass all these ends, and to surmount all these difficulties, these assassines of their Queen's fame took the following method.

Some

Some one or other of them drew up, in the *Scottish* language, such letters, as being dispersed under her name, they thought might be sufficient to blacken her. And now there was nothing wanting but to get them put into *French* : but it would seem, that the person destined for that office did not sufficiently understand the *Scottish* language. In these straits *George Buchanan*, who had that year been chosen, for his piety, moderator of the General Assembly, found out a remedy, by translating the letters out of the *Scottish* language into *Latin*, a language with which the *Frenchmen* was acquainted. Thus the forgery was accomplished. At least this is certain, that the *French* letters which *Murray* and his accomplices produced, and swore to be written wholly by the Queen's hand, are only a translation from *George Buchanan's Latin*, and his *Latin* a translation from the *Scottish* original forgery, even that very original, of which *Murray* sent a copy to be considered by the *English* judges before-hand, calling it a translation. Why a translation ? as if the court of *England* had not understood *French* !

If this can be made appear, the letters, and every thing depending on them, notwithstanding all *George Buchanan's* writings, and

Mur-

The Examination of the Letters. 83

Murray and *Morton's* oaths, and after all the pains and expences bestowed on this matter by Queen *Elizabeth* and her courtiers, must be laid aside for ever. And to evince, that it was absolutely so, there is nothing requisite, but to compare the pretended originals with the pretended translation, in the same manner as the *English* commissioners are said to have done^a; only it will be proper here to call to our assistance Mr. *Buchanan's* *Latin* version, so far as we have it, which is not said to have been used by them, although they had it.

I. That the letters were originally written in the *Scottish* language, appears manifestly from several phrases that occur in them, peculiar to that language; as for example,

Letter I. p. 2. *No receipt can serve against fear*: which being compared with *Buchanan's* *Latin*, *Nulla adversus timorem est medicina*; or with the *French*, *Qu'il n'y avoit point de remede contre la crainte*; sufficiently declares which is the original.

P. 7. *And that causes me to tyme [lose] my wit for very anger.* *Lat.* *Quæ res ita me angit, ut mentem & consilium mihi prorsus excutiat.* *Fr.* *Ce qui me tourmente tellement, qu'il m'oste du tout l'entendement et le conseil.* Who sees not that the *French* here is a servile trans-

82 *The Examination of the Letters.*

translation from the *Latin*, and that the *Scottish* is the original? No man, surely, can hesitate a moment, who can read these languages.

P. 17. *Ye have fair going to see seik folk.* It is to be observed here in the first place, that Mr. *Buchanan* did read two words wrong in this short sentence, namely, *fair* for *sair*, [fore] and for *seik* [sick] as it is in the edition at *Saintandrews* in *Scotland*, he read *sik*, with the first edition published in *England*, for which the *English* word is *such*. For the right reading, designed by the first hand, was certainly, *Ye have sair going* [fore travelling] *to see sick folk*; which is a mean kind of phrase used among people of the lowest rank; and ought to have been translated after this, or the like manner; *Iter facis ægrè, ægros visendi gratia*. By the sick folk is meant her husband, who actually was sick; and thus the antithesis in the following words appears more clearly, *Yet ye cannot be so welcome to them*, that is, to your husband, for all your fore travelling, *as ye left some body this day in regrate*, that is, the Earl of *Bothwell*, *who will never be blith until he see you again*. But Mr. *Buchanan's* mistakes spoil the sentence very considerably: *Bella hujusmodi hominum visitatio!* &c. and the *Frenchman* could not mend the matter; it behoved him to follow
his

his leader : *Voyla, une belle visitation de telles gens !* I know not what others may think of this affair, but, for my own part, I would reckon that this small sentence, maturely weighed, may be sufficient to prove against ten thousand oaths, and as many acts of parliament, that these letters were originally written in the *Scottish* language. But if any man will pretend to doubt, let him first account how this phrase could come in upon any other supposition imaginable.

Page 24. *He gives me some checks, of that which I fear, yea even in the quick : He says this far, that his faults were publish'd ; but there are that commit faults, who believe they will never be spoken of.* Lat. Interim me attingit in loco suspecto ; idque ad vivum hactenus prolocutus est, sua crimina esse palam ; sed sunt qui majora committant, & opinantur ea silentio tegi. Fr. *Cependant il m'a donné atteinte du lieu suspect, et a jusques icy discouru bien au vis, que ses fautes sont cogneuës mais qu'il y en a, qui en committent de plus grandes, encores qui'ils estiment qu'elles soient cacheës par silence, &c.* Here it is obvious that the Latin is somewhat confused, and doth not express the *Scottish* sufficiently, whereby the *French* translator has been misled almost into nonsense.

Let. V. p. 39. Another phrase occurs, viz. *Ye have two strings to your bow* : But as it is in common to us with the *French*, it is nothing to the present purpose ; for which, it is thought, these already mention'd may be found sufficient.

P. 11. *And if I had not a proof of his heart of wax, and that mine were not of a diamond, whereintill no shot can make brek (breach) but that which comes forth of your hand.— But fear not, the place shall hold unto the death.*

Lat. Ac nisi experimento didicissem, quam esset ejus cor cereum, meum adamantinum, et quale nullum telum penetrare posset, nisi quod e tua manu veniat.— Sed ne time ; præsidium ad mortem usque custodietur.

Fr. *Et si je n'eusse appris par l'experience, combien il avoit le cœur mol, comme cire, et le mien estre dur comme diamant, et lequel nul trait ne pouvoit percer, si non descoché de vostre main.— Toutes fois ne craignez point : ceste forteresse sera conservée jusques à la mort.*

How languid and servile is the style here both in the *French* and *Latin*, when compared with the *Scottish* ! which is so concise and expressive, and withal so furnished with its proper idioms, that it shews itself to be original and no translation.

P. 12. False race: I believe they have been at schools together. Lat. Gens illa perfida: arbitrator in eadem schola doctos fuisse.

Fr. Ceste nation infidele: J'estime qu'ils ont esté enseignez en mesme escole. The same observation holds here likewise.

P. 13. Have you not desire to laugh to see me lie so well, at least to dissemble so well, and to tell him truth betwixt hands?

Lat. Nunquid subit cupiditas ridendi, videndo me tam bene mentiri, saltem dissimulare tam bene, ac interim vera dicere?

'Tis not easy to express in *Latin* the meaning of the last two words, *betwixt hands*. *Buchanan's* word *interim* not only falls short, but makes his *Latin* sentence stand, as it were, at variance with itself: Which the *Frenchman* observing, he omitted it altogether.

P. 14. Two false races; meaning the King and the Earl's wife. Lat. Duo infida hominum genera. Fr. Deux especes d'hommes infideles.

II. *Mr. Buchanan* happened also to mistake the reading of some *Scottish* words in his copy, which it is reasonable to think has not been written by a very distinct hand: Whatever gave the occasion for it, he has, by mistaking words, run himself sometimes into nonsense, and drawn in his *French* translator after him. Thus

Let. 1. p. 15. We read, I am going to seek my

my repose till to-morrow, when I shall end my bybill; but I am fashed [vexed] that it stops me to write news of myself unto you, because it is so long. In which sentence the word *bible*, is a manifest erroneous reading; for the word *bille*, or *bylle*, under which appellation, in those days, were comprehended letters, instruments, poems ^a, and short writings of almost every kind, and divers such things go under that name to this day. It is manifest that it is the letter itself which is spoken of here, and said to be so long, as indeed it is a very long one. To call it a Bill does well enough; but to call it, a *Bible* is absurd. Nor doth this observation depend upon mere conjecture. *Murray* and *Morton* themselves, who must be presumed to have been best acquainted with their own papers, did read the word *bylle*, in the place where we now find the word *byble* or *bybill*, as appears by one of their papers, which they exhibited before the *English* commissioners at *London*: “ And in
“ this time, say they, viz. 24. *January*,
“ 1567

^a See the glossary to *Urry's* edition of *Chaucer*. I have before me just now a kind of poem, by one *P. R.* which he calls, *The lamentation of Lady Scotland*, printed at *Sanct-andrews* in the Year 1572; and in the dedication to the laird of *Dune*, a Superintendent, he addresses his poem thus;

Go Bill than, to the laird of Dune I send thee.

“ 1567, she wrote her *bylle*, and other Letters to *Bothwell* * from *Glasgow*.” The original forger’s meaning is evident, that the *bylle* or letter was to be finished next day, (and that was the very case as to the letter ^b) but it was so long, that it hindered the supposed writer from writing news about herself.

If the first *l* in the word *bylle* has the hair-stroke at the lower end turned a little upward, or if a small spot of ink touches it, the word immediately reads *byble*. Whether this or the like had happened in *George Buchanan*’s copy, or not, certain it is, that he read the word *byble*; *Ego eo, ut meam quietem inveniam in crastinum, ut tum mea biblia finiam; sed angor, quod ea me à scribendo de me ipsa ad te impediât*, (another edition has *impediant*) *quia tam diu est*. These last words denoting length of time, were misapplied also: For the corresponding words in the *Scottish* original are applied to the length of the letter; and therefore ought to have been rendered by words expressing length of measure, or extension. This interpretation entirely bewildered the *French* translator. He not only was obliged to use that ill-chosen word *bible*, but also, because the words, *tam diu est*, which ought to have belonged to it, were only

* *Anderson’s collect.* vol. 2. p. 272. Append. p. 247.

^b p. 28.

ly applicable to a matter that implied duration of time, he was obliged to interpret them of the Queen's repose, or sleep, which marrs the sense, and is evidently wrong. But to add no more upon this head, let any man essay to shew how it can be accounted for, that a letter should be here misnamed a bible, otherwise than on the supposition that the letter was written in our language originally.

In the same 15th page, the Queen is made to say, "She was irked, and going to sleep; and yet ceased she not to scribble all the paper that she had remaining." Here Mr. *Burthanan* reads *naked* for *irked*: *ego nudata sum*, says he. They who are accustomed to read our old writings, know well, that our countrymen in those days often used the letters *i* and *y* indifferently; so that they would write either *irked* or *yrked*, or rather, according to the orthography of that time, *irkit* or *yrkit*. It is also certain, that their letter *n*, especially in the end of a word, frequently resembled their letter *y*: And there were some who used a fashion of the letter *r*, which bore a great similitude to the letter *n* inverted: And from hence might this blunder have been occasioned. But from whatever cause it came to pass, certain it is, that *naked* is not, and *yrked* is the true reading; the sense requires

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it ; and since it appears so in the *Scottish* letters, it is enough. This error, great as it is, the *French* translator has enlarged without authority, and made it *toute nue*, stark-naked. Surely to sit writing stark naked, in our country, in the month of *January*, required a very warm constitution. These errors are so gross and striking, that to find a tolerable excuse for them, would be no easy matter. But still the *Scottish* appears plainly to be the original of the letters.

P. 22. The Queen is made to refer some things to the care of the bearer of the letter, because she had too many things to write ; after which we have these words ; *I give trust to him upon your word*. This is very intelligible. The Earl of *Bothwell* is supposed to have recommended this bearer, as a trusty person ; and the Queen to write that she trusted him accordingly upon the Earl's word : But unhappily the pronoun of the first person, *I*, being only one single letter, and the most simple of them all too, escaped the observation of *Buchanan's* optics, and, without it, the word *give*, of necessity became to belong to the second person, so he translated the sentence, *Huic adhibebis fidem, juxta tuum verbum* : And in like manner the *French* translator after him ; *Vous adjousterez foy, selon vostre parole* : poorly enough both
surely

surely, but the worst of it is, that their words convey no tolerable meaning. The bearer of this letter, as they themselves gave out at *York*, *George Buchanan* being present, was *French Paris*^a; so also it is said in the second letter^b, and is confessed by *Paris* himself, or rather by *Murray* in his name^c. This *Paris* had been an old servant to the Earl of *Bothwell*, and had lately been taken into the Queen's service: This had been well known to the forger of the letter in the *Scottish* language, and is the very reason for which he makes the Queen say, that she trusted him upon the Earl's word: And indeed it was no small trust to have the carriage of a Queen's billet-doux unsealed^d, especially as it contained no small matters. But no shadow of reason can be given why the Queen should have desired the Earl to trust his old servant, according to his promise.

Letter 3. p. 33. *Buchanan's* Latin, and the *French* translation from it, have express the word *hir*, which we find in the *Scottish* in the singular number, as if they had found it written *thir*, in the plural. We find also that the same was done at *York*^e: And yet *hir*, as it appears in the *Scottish*, would seem to be the word that was designed at first, because

^a Append. p. 140. 152.

^b Append. p. 30. ^c P. 76. ^d See above, p. 54.

^e p. 152.

cause it seems to be meant of the Earl's wife. There are writings of those times still extant, in which here and there it is hard to distinguish betwixt the *b* and *th*.

Letter 5. p. 39. The word *foreseeing*, is rendered in the *French*, *premieres promesses*, which is the harder to be accounted for, that the *Latin* version of that letter was never printed. One would be tempted to suppose that they had read *foresaying*, which marrs the sense ; but how to account for it any other way, doth not occur at present.

III. On other occasions *Buchanan* has mistaken the import of some words, which he read well enough ; and thereby introduced sometimes nonsense or blunders into his own *Latin*, through which they were transmitted into the *French* version, our pretended original. Thus,

Let. 1. p. 6. The King is brought in *confessing that he had failed, but not in that which he ever denied, (David Rizio's murder probably, and detaining the Queen prisoner) and, continues he, a siclike have failed to sundry of your subjects, whilk^b ye have forgiven.* In which sentence Mr. *Buchanan* has mistaken the small word *tó* for the particle which, with us, is used for the sign of the Dative case ; whereas, in this place, it really

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is

^a i. e. in like manner. ^b i. e. whom.

is what the grammarians call a copulative conjunction : At present it is written thus, *too* ; but in former times frequently *to* ; of which an example is to be seen in these very letters, *Let. 5. p. 38. l. 32.* and is to be rendered by the *Latin* word *etiam*. The argument in this sentence, such as it is, proceeds thus : I have failed : Sundry of your subjects have failed in their duty too : Them ye have forgiven : Why not forgive me also ? But *Buchanan* took the meaning to have been, that the King had offended several of the subjects, for which the Queen had forgiven him. *Pecavi etiam adversus quosdam civium tuorum, quod mihi abs te condonatum est.* And in like manner the *French* : *J'ay aussi peché à l'encontre d' aucuns de vos citoyens ; ce que vous m'avez pardonné.* By which both argument and sense are sunk. For on what occasion, pray you ? how ? and in what capacity should the Queen have forgiven her husband his trespasses against her subjects ? No no ! the expression must be understood to respect the subjects themselves, who had been pardoned by her, such as *Murray, Morton, Glencairn, Rothes, Lindsay*, and many others. This word *to*, little as it is, will be found desperately stiff-necked ; and will require a vast force to throw it out, so as to account for this blunder, how it could have come either into
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the *French* or *Latin*, any way, but through neglecting to take the word in its proper signification in this place ; and yet if that cannot be done, the cause may not properly be said to be desperate, but irretrievably lost.

The word *citoyens*, for subjects, is also ill chosen, tho' it may be a translation good enough for *Buchanan's cives* : But that will not do ; for the *French* must here be taken for the original ; and 'tis thought that sovereign Princes will not be often found calling their subjects by that appellation,

P. 13. *This is my first jorney : I shall end the same to-morrow. I write all things, howbeit they be of little weight, &c.*

Lat. *Hæc est mea primi diei expeditio ; eandem cras finiam. Omnia scribo, &c.*

Fr. *Voilà ce que j'ay despecbe pour mon premier jour, esperant achever demain le reste. Je vous escry toutes choses, &c.*

This very letter is certainly what is here called the jorney or journal, being as it were a diary of the Queen's transactions for several days ; and this is what was to be finished the next day, which, as is said in the very end of it ^a, was accordingly done. Let any one try his skill to find out some tolerable meaning for *Buchanan* and his translator's first day's expedition being ended the next day.

IV. Mr. *Buchanan* by using ambiguous or inaccurate words, or expressions, has sometimes misled his *French* translator, of which one example has been given already ^a, in the word *citoyens*. Another occurs,

Let. 1. p. 15. *That nothing therethrough be spilt.*

Lat. Ne quid ob id secus fiat.

Fr. *Que rien ne se fasse autrement* : Where the last word doth not express the full meaning in this place, although it frequently elsewhere answers the meaning of the word *secus*.

P. 16. *Uncle.* *Lat.* *Propinquus*. *Fr.* *Parent*. The word *Uncle*, which particularly denotes a father's brother, or mother's brother, could not proceed either from the *Latin* or *French*, which are general terms,

Ibid. *The Laird of Lusse.* *Lat.* *Lusſæ comarchus*. *Fr.* *le prevost de Lusſe*. *George Buchanan* affecting to give *Greek* or *Latin* terms for every thing, chose this word *comarchus* to express what in our language we call a *laird*, and makes frequent use of it in that sense; but it doth not convey the true meaning of the *Scottish* word, as it signifies properly the governor of a village. In this sense the *French* translator took it, and finding nothing that, as he thought, could convey the
idea

^a Above, p. 93.

idea better, or that suited the origin of the word so well, he translated it *provost of Lusse*; which must necessarily have happened through this word of *Buchanan's*; for that village had never a provost; and although it had been otherwise, the gentleman, it is well known, was never so designed before or afterwards.

Let. 4. p. 36. *Considering that I could not have remeedit thereunto, without knowing it.*

Fr. Veu que je n'y pouvoye mettre remede, sans le donner à cognoistre.

The Queen is here made to say, that she could not have helped, or prevented something, because she knew nothing about it: But the *French* has it, that she could not have helped it, without making it known to others. Which it is reasonable to think has been occasioned by some indefinite or absolute expression in the Latin. Another example of the same kind occurs in the fifth letter ^a, where the persons are changed, and the meaning and sense quite lost in the *French*.

V. Mr. *Buchanan* not only read wrong, but either he, or his amanuensis, wrote sometimes shamefully wrong: For example,

Let. 1. p. 21. *Sed in timore futuros proceres, quod comitatus fuisset, si aliquando inter nos concordessemus, se daturum operam, ut intelligerent quam parvi eum estimassent.* It is evident

evident from the *Scottish* word *boasting*, that instead of *comitatus*, it should have been *comminatus*; and that *Buchanan* designed it so is plain from the very construction of this sentence, for *comitatus se daturum operam*, is neither language nor sense. The *Frenchman* could not help it: So he kept by *comitatus*, and rendered it *suivy*.

P. 18. The Queen is made to write, that she had been preparing a bracelet for the Earl, and with much ado had fixed the lock and key thereof; but in p. 25. it seems no locks could be got for it: yet that was not the worst of it, for *George Buchanan* unhappily wrote the *Latin* word for a lock with *c* instead of an *s*, *cera* for *sera*, whereby it came to be rendered *cire*, *wax* in our *French* original: But what occasion was there for wax to a bracelet? or why should the Queen have been straitned for want of a bit of wax?

In the 22d Page it is manifest that Mr. *Buchanan*, or his amanuensis, wrote, *quod* for *quos*, and the *French* retains that error. In short the *Frenchman* has closely translated *Buchanan's Latin*, errors and all. Once I find him to have taken one word for two, in this same 22d Page. *Meo jussu quovis ibit*. Monsieur read *quo vis*, and rendered it, *Il ira ou vous voudrez, par mon commandement*. That the King, at the Queen's commandment, would

would go where ever *Bothwell* pleased; whereas it ought to have been, that he would go any where upon the Queen's word.

VI. Some omissions also happened in Mr. *Buchanan's Latin* version, and the very same things are wanting in the *French*, as a whole sentence, p. 3. and another short one, upon the margin of the fourth Page of the first edition, which actually makes a part of the letter, but has been considered only as a marginal note.

P. 4. l. 5. The word *ferre*, or the like, to answer the word *endure*, is omitted in the *Latin*, which occasioned the word *velle* to be rendered by *demanderoit*, contrary to the true meaning of the sentence.

P. 23. *Nevertheless I shall draw it out of him.*

Lat. Nihilominus ego ex eo. Omitting the words *id expiscar*, or *eliciam*, which are necessary to complete the sense; which made the *Frenchman* throw out three words more, *ego ex eo*, as not finding for what purpose they could serve by themselves, and thus to enlarge the error, and lose sight of the meaning.

If more were requisite for proving that *Buchanan* translated the letters out of the *Scots* language, and that the *French* was translated from his translation, almost every sentence
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in these translations, being compared with the *Scottish*, would contribute to confirm that it was certainly so. The *French* is altogether as it were cut upon *Latin*, and some words it has which could never have been in a writing originally *French*; such as, besides those already observed, *p.* 25. *Argathley* for *Argile*, from *Buchanan's Argathelia*. In *Let.* 5. *p.* 38. there is an emendation by one or other of the translators. The *Scottish* copy makes the Queen use these words to the Earl, *That with my honour I could never marry you, seeing that being married ye did carry me away.* This being a plain anticipation, in speaking of the Earl's rape of the Queen as past, which had not yet happened, the cautious translators thought fit to throw it out, and instead of the last five words there, we find the words, *ny aller avec vous*, in the *French*. But here they shewed more caution than they needed; for had all their other matters been right, these words could have done them no prejudice.

C H A P. V.

An Objection answered.

THE observations contained in the preceding chapter, if duly considered, will be found sufficient for removing every scruple or objection imaginable against the forgery of the letters, which *Murray* and his party swore to have been written by the Queen, unless perhaps one single objection that may be started. For it must be remarked, that what they called the originals have long ago disappeared, so that at present they cannot be produced, nor can it be said with any certainty, so far as I can learn, that they will be found out afterwards, although that might reasonably be expected. Hence some persons, being straitned for a better answer, may take occasion to argue, ‘ That people are not to be branded with the foul crimes of forgery and perjury, on the authority of printed books : That such crimes can only be proved by original writings, or undoubted records. And although these *French* letters have past for true copies of those which *Murray* and his accomplices swore to be the Queen’s, whether she would

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‘ or would not ; yet, how can we be sure
 ‘ that this *French*, in which they have been
 ‘ received universally ever since the xiii. day
 ‘ of *February* 1572, is the same in which these
 ‘ accusers presented their letters at *London*,
 ‘ first in *December* 1568, and in which
 ‘ they had them there for the second time,
 ‘ from the xvii. day of *February*, to the
 ‘ viii. day of *April* 1571? Be it so, that
 ‘ they were printed at *London*, in three seve-
 ‘ ral languages, in about ten months after
 ‘ this last period, was it not possible neverthe-
 ‘ less, that some impostor might have chan-
 ‘ ged the original writings, and dressed them
 ‘ up in this fool’s coat, in which we have
 ‘ them, in order to affront the modesty of the
 ‘ thrice worthy men, who had so fully and
 ‘ clearly given their testimonies, that the let-
 ‘ ters were holograph in the Queen’s hand-
 ‘ writing?

Would it not be a very wild supposition,
 and equivalent to yielding the cause, to al-
 ledge that papers reckoned of so high impor-
 tance^a, had been published in words and ex-
 pressions quite different from those in which
 they were originally written, although in the
 same language; even at the very time while
 the dispute was hotly carried on, whether
 such papers did, or ever had really and actu-
 ally

^a. See Pref. p. xiii.

ally existed in the Queen's hand-writing? And can it be thought, that such trumpery would have been received then, and ever since, for an hundred and eighty two years, as unquestionably true and genuine copies of the letters exhibited by *Murray* and his fellows? as if they and the *English* court, who were so earnest to have the letters believed to be genuine ^a, would have failed to discover the cheat! They were most concerned in this matter, and they only were able to guard against counterfeits, because they were possessors both of the originals, and copies; so that no others could come at them but by their permission. Queen MARY had all along required the principals to be produced, that she might have the inspection of them, and make answer ^b. Her commissioners also, by her special commandment, had often required the same thing, but still that was most unaccountably refused, or deferred; for which no shadow of reason can be imagined, but that her enemies were all conscious that the forgery would have appeared evidently from their pretended originals. They afterwards published them in print, and dispersed them, with a view to disgrace Q. MARY, as they themselves declare ^c: And can it be thought that they

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would

^a Above, p. 25. 42. 50. ^b p. 289. 298. 342.

^c See above, p. 25.

would have spread abroad spurious copies for that effect, and have kept better or genuine ones in private with themselves? That had been a strange stratagem indeed, for compassing their declared laudable purposes.

One might naturally have expected to find a clear and distinct account of the letters in some of the first editions, in one or other of the three languages in which they printed them in the end of the year 1571, and in the beginning of the following year, always subjoined to *George Buchanan's* detection: But in the *Latin* we have only *George Buchanan's* bare assertion that they had been written by the Queen, which is of no manner of consideration. In the edition in our language we are briefly told, ' That the Earl of *Morton* ' had taken them inclosed within a small gilt ' coffer, not a full foot long, from *George* ' *Dalglish*, whom the Earl of *Bothwell* had ' sent to fetch them out of *Edinburgh* castle, ' That they were well known, and by oaths ' to be affirmed to have been written in ' *French* with the Queen of *Scots* own hand ' to that Earl, and were in that edition translated word for word.'

Last of all, the letters in the retrograde manner, appeared in *French*; which edition has a short preface, where, after some intemperate language vented against Queen
MARY'S

MARY's relations on the mother's side, we have the following account :

‘ Finally, the letters placed at the end
‘ had been written by the Queen, some in
‘ *French*, some in *Scottish*, and some wholly
‘ translated into *Latin*: But as I had no know-
‘ ledge of the *Scottish* language, I chose ra-
‘ ther to express all that I found in the *Latin*,
‘ than by shewing myself too scrupulous in
‘ the change of a syllable, to frustrate thee
‘ (O reader) of the light which thou shalt
‘ have through them, for knowing to whom
‘ the blame of that execrable murder and o-
‘ ther enormities in them contained, ought to
‘ be imputed *.’

If he was unacquainted with the *Scottish* language, certainly he could not of himself render into *French* any thing written in that language ; so it was reasonable that he should in that case call in the *Latin* to his assistance. But in what or how could that affect any papers which had been originally written in
French?

* Au reste, les epistres mises sur la fin avoient esté ecrites par la Roynne, partie en François, partie en Escossois, et depuis traduictes, entierement en Latin : mais n'ayant cognoissance de la langue Escossoise, j'ay mieux aimé exprimer tout ce que j'ay trouvé en Latin, que me montrant trop scrupuleux au changement d'une syllabe, te frustrer de l'esclaircissement que tu y auras pour cognoistre a qui la faute de l'execrable meurtre, et autres enormitez y contenues, doivent estre imputees.

French ? He surely needed no assistance from the *Latin* as to them. Are we to think that he translated them also from the *Latin* ? He says it not ; nay he shuns to say it : “ I chose, says he, to express all that I found “ in the *Latin* ;” that is, when rationally explained, he gave the *French* as he found it, but the *Scottish* papers he was obliged to translate into *French* from the *Latin*, because he knew not the language in which they were originally written, and thus all was sufficiently *expressed*, but not all *translated*. Had he said or meant that he translated all from the *Latin*, it must needs be that he pretended to have translated the *French* sonnets too into verse again, out of *Latin*, of which the absurdity is yet more obvious,

It is to be carefully remarked, that this first edition in *French* bears in the title-page, and at the end of the book, that the printing of it was finished upon the xiii. day of *February* 1572, at *Edinburgh*, in which city surely one could have had no difficulty in getting the *Scottish* language sufficiently explained to him ; and he must have been a bold editor, and as bold a printer, who would have ventured to publish *George Buchanan's* detection, and these letters along with it at that time in that city, which, from the end of *April* 1571, to the beginning of *August* 1572, was
altogether

altogether at the command, and in the possession of Queen MARY's friends; and all her enemies had either been driven out of it, or deserted it of their own accord, and among the rest *Lekprevik* their printer, and *Knox* their priest. The falshood of the assertion, that it was printed at *Edinburgh*, hath been made appear already ^a; but that is only one of the least tricks of this impostor.

For, *secondly*, With regard to the letters, which he was publishing in the Queen's name, he had no use at all for the *Scottish* language. He says some of them had been written in that language. So far from it, that the whole eight letters, of which he gives us only seven, were exhibited in *French*, and sworn to be the originals ^b. Nor is there in any edition, in any of the three languages in which that book was published, one single paper, written, or that can be pretended to have been written by the Queen in the *Scottish* language, unless it be the citation of the Earl of *Lenox* to appear and pursue the Earl of *Bothwell*, which being a formal law-paper, was certainly never written by her, altho' it behoved that it should be issued by her authority, and warranted by her subscription.

Thirdly, He says the letters had been wholly

^a Above p. 38. ^b Append. p. 87. 235. 239. 256.

ly translated into Latin, and that he chose to express all that he found in that language; whereas in truth he translated all that he found in the edition in the *Scottish* language, which makes one half more than is contained in the Latin copies, either written or printed; all which had been added, after the Latin copy was printed, as appears from one of *Cecil's* letters to *Walsingham* ^a, dated the first day of *November* 1571. “ Having this present occasion, says he, to send two of my Lord, of *Oxford's* men to *Paris*, at his Lordship's request, I thought good also therewith to send to you this little treatise newly printed in *Latin*, in commending or discommending the Queen of *Scots* actions, to further her marriage with *Bothwell*. I hear it is to be translated into *English*, with addition of many other supplements of like condition:” Which was accordingly done at *London*, no doubt by *Cecil's* own direction, although he gave out that it was done in *Scotland* ^b.

Fourthly, which has as little truth in it as any of the rest of his tales, this prefacer denies that he had any knowledge of the *Scottish* language; whereas he had so much skill in it, that all that is superadded to the Latin, and

^a Digges's ambassador, p. 151.

^b See above, p. 37, 38. and Append. p. 371. 376.

and which had not been written in *French*, he actually translated from a copy of the very edition in the *Scottish* tongue which had been printed at *London* a little before, as appears sufficiently from his transcribing and adopting the very typographical errors that had crept into that edition, to which he sometimes hath superadded additional errors of his own, as is common in the like cases, of which take the following instances :

The *English* editor of the copy in the *Scottish* dialect, or his printer, finding a man called *Black Maister John Spens*, from his iron colour, to distinguish him from another *John Spens*, who was one of the Queen's Advocates; he made two Men out of him, one called *Black Maister*, and the other *John Spens*^a, imagining that as *Maister* was a known surname in *England*, it was to be taken for a surname in that place also : in consequence of which the *French* edition has *Blac-maistre* for one man^b, and *Jean Spens* for another, which could only have happened immediately from such a copy in the *Scottish* dialect. And this translator in another place mistook *Maister* for a surname, rendring *Andrew maister of Errol*, *André Maister, Sieur d'Errole*.

f

This

This printed edition in *Scottish* has, in two different places, *Chok* for *Eliok*^a, the name of a place, which error has been occasioned by the near resemblance of *eli* and *ch* in common writ; and in the *French* we find that error copied^b.

The former^c has *Kinrof* for *Kinros*, for a surname, for which the latter gives us *Rinrof*^d. The first error proceeded no doubt from the similitude of the letters *f* and *s*. And the additional error cannot be so well accounted for any other way, as from the great resemblance betwixt the letters *K* and *R* in the Saxon character, on which that edition in *Scottish* is printed.

The printed copy in *Scottish*, p. 123. for the proper names *Herries*, *Lochinvar*, *Barnboug*, has erroneously *Hereif*, *Lothinwar*, *Berne Buxal*, which in the *French*, fol. 60. are copied thus, *Heireif*, *Bothinwar*, *Vernée Bruxal*. Whence it will be manifest enough to those who read old Writings, that the latter has been taken from the former, and that the additional corruptions in the *French*, as well as the original errors in the copy in *Scottish*, have happened from the near resemblance of the letters *s* and *f*. *l* and *b*, *c* and *t*. *b* and *v* among

^a P. 111. ^b Fol. 51, 52. ^c P. 116.
^d Fol. 55.

v, among themselves, in writings of those times.

The edition published in *England* in the *Scottish* language has erroneously, p. 122. *John Hamilton Commandar*, instead of *Com-mendatar* of *Arbroth*, and this *French* translator copying after it, renders that word *Com-mandeur*, which denotes a quite different title.

Also the former, by a wrong reading of *Henry Kinross's* protestation, has the words, *all quibilk tyme*, instead of *att quibilk tyme*, which makes the sentence to express a direct Falshood, and to stand at variance with the words preceeding and following; and whereas these words, when rightly read, come in the middle of the sentence, by reading them wrong, they are made to begin a new sentence, all which blunders are carefully taken down by our *French* translator.

Since we are so far led in among these naughty affairs, through we must go, to get out again. In the last paragraph save one, of *John Hay* of *Bowton's* pretended confession, a coarse proverb occurs, viz. *The longer dirt is bidden, it grows the stronger*, of which sentence the leading word is wrong printed, *deirt*, which so nearly resembles the *English* word *dearth*, that it is rendered in the *French*, *faim*, hunger or famine.

The last paragraph of the same man's confession, begins thus ; *hinmest he confessit*, &c. where the word *hinmest*, being used adverbially, and differing considerably from the manner in which the *English* write that word, *viz.* *hindermest*, *hindmost*, or, as we find it in *Chaucer*, *bindereft*, this translator mistook it for a man's name, and rendered it, *Hineft confessa*, &c.

Hence it is very obvious that the *French* translation must have been taken immediately from a copy of the edition printed in *England* in the *Scottish* dialect, and doubtless has been the performance of an *Englishman*, who, although he was under no difficulty to understand our language in general, yet could hardly fail to mistake some words, phrases and terms that are peculiar to it, and not in use among the *English*, or differently written by them.

Thus tho' the syllabication of the *Scottish* word *nouth*, commonly through this first edition of *Buchanan's* detection, had been changed, after the *English* orthography, into *neither*, (which is only another manner of writing the very same word) yet it having unluckily past without alteration in the Earl of *Caithness* his protestation, it created no small difficulty to the translator into *French*, to comprehend what could be the meaning of
it

it. At last he imagined that it was not to be taken for one single word, but for two, which had been joined close together by an error in the printing, therefore he read it *no urber*; and, by supplying the word *time*, from his own conception only, he apprehended the meaning to have been, ‘ That the Earl of *Lenox*, and all others, should be fore-closed from producing at any time afterwards, any other writings or proofs whatever :’ And accordingly rendered it thus, *Lenos, et tous autres, quelconques fussent forclos cy apres à produire autres escriptures, ou preuves, quelles quelles, &c.* Whereas the Earl of *Caithness* was only giving the jury’s reasons for their absolvitory verdict, because neither *Lenox*, nor any other, had produced any writing, token, or proof whatever, for verifying the Accusation of the Earl of *Bothwell*.

Cecil observes *, That the *Scottish* orthography is not so hard, but that, after the reading of two leaves, an *Englishman* may easily enough grow acquainted with it. It is so indeed for the most part, but holds not universally, as appears from the examples already given. But above all others, some technical words and terms of our *Scottish* law, did greatly puzzle this translator : For example, that

* Append. p. 381.

that common expression in our criminal law, *arte & parte*, the import of which, tho' the words are *Latin*, is so well understood by every *Scots* man, could not be got so much as read by those persons in *England* who first published the edition in the *Scottish* language : The words occur in three several places, and in every one of them they are printed *acte & part*. It was not to be expected that he who translated into *French*, from one of these copies, would mend the matter; nor did it happen so; for in the first two places he retained the word *acte*, but not knowing what to make of the words *& part*, he past them over altogether in his translation ^a: But when he met with them the third time, he imagined that the reading ought rather to have been *all and part*, than *act and part*, and accordingly he rendred it *en toute & en partie*.

The word *dittay* was no less unmanageable. We find it first interpreted, *adjournment*, or *summons* ^b; in the next page it is taken for a participle, as if it denoted that intimation had been made of such a matter; the reason of which was, that he embraced any interpretation of an unknown word, that he thought would make tolerable sense; and therefore never made any scruple to
make

^a Fol. 55. and 56. ^b Fol. 55. r.

make it an adjective, or a substantive, as he imagined the sentence required. The next time that it occurred, he made it to signify a process ^a; but at last finding it explained by the *English*, or rather the *French* word, *inditement*, he observed its true meaning ^b, but did not look back so far as to rectify his former mistakes.

Besides the reasons already mentioned, the poorness and improprieties of stile in this *French* translation, do afford another strong argument that it was the work of some *Englishman*; for we find that the statesmen of that country in those days were at a loss, upon other occasions, when they had use for writing papers under-hand in the *French* language. But if what has been said already, in this and the first and fifth preceeding chapters shall not be found sufficient to prove that the letters in *French*, which were exhibited as originals, were a mere translation from honest Mr. *George Buchanan's* Latin, and that they were published by the court of *England*, all that can be said further to that effect, will prove to little or no purpose; and so I leave it: Only I desire the reader to observe, that whereas in the preceeding sheets, the management of that business hath been charged
upon

upon secretary *Cecil*, it is not thereby meant that he did the drudgery part of that work himself, for there are some reasons to be collected from papers yet extant, which will shew that he was not by himself altogether sufficient for it^a; it is only meant that it was done with his privity, and by his direction; and a man, perhaps, might, without vanity, defy all the world to account for it otherwise: But the design of this treatise is rather to suggest matters to inquisitive and candid readers, than to deliver any thing dogmatically, or at great length: And it is thought, that by how much the more numerous the prevarications and falsehoods used by the *English* courtiers to disguise the truth, shall appear to have been, so much the closer and faster will they fix the fraud and forgery upon themselves, and their associates: For had they been pursuing truth, they had no occasion to have gone in so great disguise.

Digges's ambassador, p. 146.

CHAP.

C H A P. VI.

Extrinsic Proof of the Forgery of the Letters to Bothwell.

THE arguments hitherto produced for proving the forgery of the letters, are founded on the letters themselves, *viz.* That those which were produced in *French*, and sworn to have been of the Queen's handwriting, were not so, because they were only a translation from *Buchanan's Latin*, which was itself also a translation from the *Scottish* language. That this *Scottish* which they pretended to be a translation, is actually the original language in which they were written, is evident, because it is pure *Scots*, and contains no vestige of being a translation, has no foreign phrases or idiotisms transplanted into it, but on the contrary abounds with the phrases and idiotisms peculiar to our language; and these appear very awkwardly ingrafted both in the *Latin* and *French*, which doth sufficiently evince that neither of them are originals; and the same thing appears as manifestly, from the many blunders that are found in them both, of such a nature, and so

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extra-

extravagant, that how they could have come there, can be accounted for no other way imaginable, but through the wrong reading or misunderstanding the *Scottish*. On this supposition also we are enabled to account why *Murray* should have trusted more to his letters in our language, than he did to those in *French*; in so much that when he first sent them up to be considered by the court of *England*, he sent them in *Scottish*, pretending that it was a translation, which, had it been the case, would have been absurd, since a copy of the original would have been far preferable.

The want also of the subscription, indorsement, and seal, comes also to be reckoned among the internal marks of the forgery, especially as the rebels gave out at first that they were subscribed ^a. When after all that they wanted the subscription, it was not so much to be wondered, that they wanted the seal; for the Queen herself had the seal still in her own custody, and a thing of that kind is not to be counterfeited so readily: But then it is quite incredible that any person of common understanding would have intrusted such papers, quite open, to the care of an ordinary servant, such as *Nicholas Hubert* was.

Besides

^a See above, p. 43.

Besides all these, there are other things in the letters that argue their forgery, as every attentive reader must perceive. The forgers were under a necessity of putting into them some things base, and criminal, or else they could have served to no manner of purpose; but the difficulty was, what things these should be: And here they over-acted, in putting such monstrous expressions into the Queen's mouth, as 'tis incredible that they should either have proceeded from her, or from any other woman of tolerable sense, or breeding: Thus letter I. p. 14. she is brought in as writing in this strain, *The Devil sinder us, and God knit us together again, for the most faithful couple that ever be united. This is my faith; I will die in it.*

Again in the same Page; *I cannot sleep as the rest do, and as I would desire, that is, in your arms my dear love.* And, p. 27. *Now seeing, to obey you, my dear love, I spare neither honour, conscience, hazard nor greatness whatsoever; take it, I pray you, in good part, &c.* with much more of the like nature.

Had the Queen been as deeply enamoured with the Earl, as these men falsely affirmed, surely her writing in this strain would have been an effectual way to have made him out of conceit with her. A man must entertain a

very low and unworthy opinion of the Queen's discretion or character, who can allow himself to think that she was capable of writing such despicable stuff as this; and surely, whoever will venture to say that he believes that she did so, can run no great risk of losing much reputation, for his own part: For such rhetorical rarities as these, are hardly to be found any where else, unless it be in the famous book called *THE PRESBYTERIAN ELOQUENCE*.

But considering what kind of people a man who treats of this subject, may possibly have to do with, it will be far more fitting to bring such arguments from matters of fact, as will stop the mouths of gainfayers, and command the assent of all who are capable of understanding them, than to expect that every one will listen to reasoning from the highest probabilities, in some cases. Therefore having already proved the point from intrinsick evidence, let us see, in the next place, if the same thing cannot be made out from extrinsick evidence also, I mean from unquestionable documents, even by the publick records of the kingdom.

The first letter, which is of an extravagant length, pretends to give an account of her majesty's behaviour from the time of her part-
ing

ing with the Earl at the *Calendar* ^a, to the time that the letter itself was finished. It appears from itself, that she could not have begun to write it, at soonest, till the second day after her arrival at *Glasgow*, because near the beginning of it, she is made to tell some things that the King had done *yesternight*, after her coming ^b : Yea it would seem it was not begun till the third day after she had come to that town, because, soon after she is made to mention some thing that was done the morn after her coming ^c, which implies that the second day was then overpast. Then in writing it she must have taken up two days; for, *p.* 13. before we come to the middle of it, we find these words, *This is my first journey : I shall end the same the morn.* And a little after ^d, it is said, that she was writing when the rest were sleeping : And again, within a little, *I am going to seek my repose till the morn, when I shall end my byble*, [*read bille* ^e] yea we have the particular place pointed out at which she left off writing the first night ; for 'tis said, *p.* 28. *that she had no paper yesternight when she wrote the memorial*, that is, the memorial or credit given to *Nicholas Hubert* ^f, which begins on the xvi. page of the appendix. Thus plain it is, that
this

^a Append. *p.* 1. 76. 247. ^b *p.* 4. ^c *p.* 9. ^d *p.* 14.

^e See above, *p.* 86. ^f See append. *p.* 152.

epistle could not have been finished till the third or fourth night after the Queen arrived at *Glasgow*, and not till very late that night too, as appears from p. 22. and 28. where it is said that it was late.

But upon what day it was begun or ended, doth by no means appear from the letter itself, for it stands altogether without a date.

The second letter mentions that *Paris* had been sent with the first, and is dated from *Glasgow this Saturday in the morning*, without specifying the day of the month, or in what month or year, which is so vague a date, that had the letter been charged upon any other person than the Queen, there had been small hopes that ever it could have been fixed. But from the records in the royal archives, it may be found in what place the Queen was almost every day. There we find that after the Prince's baptism at *Stirling*, she had come to *Edinburgh* before the middle of *January 1567*, for from the 14th day of that month, we find her granting charters or confirmations at *Edinburgh*, every day, or every other day, to the 24th day thereof *inclusive*, when she went to *Glasgow* to visit her husband. Now the 24th of *January 1567*, was a *Friday*, on which day she grants a precept of confirmation of a gift of lands in liferent, made by *James Boyd of Trochrig* to *Margaret Chalmers*

Chalmer, his bride ^a, at *Edinburgh*; at which place also, that very same day, she granted a letter making *James Inglis* taylor to the Prince her son ^b. Upon *Tuesday* the 28th of *January*, she had come to *Linlithgow* in her return from *Glasgow* with her husband, for there that day they constituted *Andrew Ferrier* keeper of their palace of *Linlithgow* ^c. And it appears by several charters, that they were come to *Edinburgh* before the end of that month ^d; and there are deeds granted by them at *Edinburgh* almost every day after that, till the day of the King's murder.

The *Saturday* therefore, upon which the second letter bears to have been written, could be none other than the 25th day of *January*. In it she is made to complain of the Earl of *Bothwell*'s delaying his return longer than he had promised, his forgetfulness to write, and that she had waited the day before in expectation to have received some letters from him. But as she most certainly had not left *Edinburgh* till *Friday* the xxivth, it could not be so: Nay as she staid at least one night at the *Calendar*, in her journey to *Glasgow* ^e, it could not be that she had as yet arrived at *Glasgow* on *Saturday* morning: Yea

^a Privy Seal register, lib. 36. fol. 94. ^b Ibid. fol. 34.

^c Ibid. lib. 35. fol. 114. ^d Lib. 36. fol. 95.

^e Append. p. 83. 247.

and was seized by the Earl of *Bothwell*, at the head of a thousand horsemen, at the *Foulbrigs*, under the cannon of her own castle of *Edinburgh*, scarce half a mile from the city gates, and carried first into the town, and after that to the castle of *Dunbar*. There are extant two charters granted by her at *Edinburgh* that 24th Day of *April* *. By this the reader may consider, whether there was time here for writing three several letters, complaining that *Bothwell* had not sent her word every day what she should do, and that he had changed his mind in her absence, with other expressions implying continuance of time.

So long then as the publick records of the kingdom shall be preserved, they will bear clear and lasting evidence of the gross and abominable forgeries and perjuries of the Earl of *Murray* and his associates.

* Privy Seal register fol. 41. *Forbes*, and fol. 43. *Wright*.

C H A P. VII.

Of the eighth Letter, the Contracts of Marriage, and Love Sonnets.

AS we have seven letters only in the pretended original *French*, and no less than eight in the *Scottish* copies, some people may be at a loss to conceive how that could have happened. We observed already ^a that *Murray* actually presented eight before the *English* commissioners, but they quietly rejected one of that number. The reason was, because it is so confused and obscure, that there is no translating or understanding it ; so that had they preserved the *French* of it, it would probably have helped to disclose the forgery more than any of the rest.

Besides the letters, *Murray* and his accomplices produced two contracts of marriage betwixt the Queen and the Earl of *Bothwell*, the one without date, said to be written by the Queen herself, and the other said to be written by the Earl of *Huntly*, as also some *French* sonnets, published along with the detection, both in *Scots* and *French*, which are as meer forgeries as the letters. The first con-

tract is still extant ^a, and bears palpable marks of forgery ; for neither is it written by the Queen's hand, but in a kind of what they call in *England* chancery hand ; nor is the subscription the Queen's ; for *m* the first letter of her name, in all her genuine subscriptions, is of the same length always with the following letters ; but that letter in the subscription to this pretended contract, or promise of marriage, is made twice as long as the following letters of the name ; nor do the rest of the letters bear a great resemblance to her true writing : Yet at the end of the detection we are told that it is to be avowed to be written with her own hand ; and altho' it bears no date, ' Yet, say they, it is upon probable ' grounds supposed to have been made and written by her before the death of her husband, ' tho' some words in the contract itself seem ' to say the contrary.' From which the reader may form a judgment of these mens modesty.

Whoever will be at pains to read the other contract, will clearly perceive, that neither could the Queen have agreed to subscribe it, nor would the Earl of *Huntly* have ventured to write such stuff in her name. In it the proposal of the marriage is made to have proceeded from her, and she is made, in a manner to force herself upon the Earl of *Bothwell* :

well: Which although it had been true, the Earl of *Huntly* surely was neither so ungrateful, nor so indiscreet, as to have put plainly in writing.

The sonnets too seem to have been first written in the *Scottish* language as well as the letters. Each sonnet is known to consist of fourteen verses; but, unhappily, two of ours, to wit, the third and eighth, in the original *French*, have only thirteen verses; and yet we have the full fourteen always in the alleged *Scots* translation; which would rather argue that it was the original. *George Buchanan* tells us that they are written with tolerable elegance: Indeed it was necessary they should have been so, to make them pass for Q. MARY's composition: But every man's eyes and ears will tell him, that it is not so; the versification is stark naught, the thoughts altogether mean and incoherent; and, in a word, the whole composition, and every part of it, quite destitute of the elegance and accuracy required in a sonnet.

Having thus pointed out so many glaring and convincing marks and proofs of the forgery of these naughty papers, as well internal as external, it remains only to ascertain who were the forgers. But here we are at a loss. Most manifest it is, that *Murray* and *Morton* must have been active in the contrivance

vance and direction of this horrid piece of villany ; but who it was that invented the very expressions, and imitated the Queen's hand-writing, is hard to say. *George Buchanan* is the only man that can be condescended upon as an assistant in this matter, as he translated the *Scottish* first into Latin, for the *French* translator's greater conveniency.

This man having been chosen moderator of the General Assembly of the kirk, upon the tenth day after the Queen had been shut up in prison at *Lochlevin*, imagined himself by that promotion absolved, not only from the ties of loyalty and gratitude, but also, it would seem, from every other moral obligation : So he laid himself out wholly to defend the cause of her Majesty's rebels and traitors, in direct opposition to known truth, and to the dictates of his own conscience ; first by his concurrence in this forgery, and then, that very same year, by writing his dialogue *de jure regni*. The next year he was among the foremost who produced these very letters at *York*, and offered to swear that they were written by the Queen, and wrote his scandalous libel called *the detection*, into which he translated some of them as hers, cited judicial confessions * for things that never were in them, and all the rest he made up of shameless falsehoods,

* See above, p. 33.

hoods, most of which will, to any thinking person, appear improbable at first view, and some of them he has not thought it necessary to bring within the compass of meer possibility.

I well know that some of his later disciples contend that he did not write his dialogue *de jure regni*, so soon as the year MDLXVII. when he was moderator of the General Assembly, thinking thereby to elude *Gordon of Straloch's* censure, that he wrote it with a view to promote the Earl of *Murray* to the crown, and that he afterwards made it, as it were, the Pole-star by which he steered his course, in writing what he calls his history of *Scotland*. But this scarcely deserves to have any notice taken of it; for any man who will read a very small part of it, at the very beginning, will see clearly from itself, that it was written without loss of time, after the Queen's imprisonment, and his own moderatorship. But if that is not sufficient, *Calderwood's* authority may prevail with some, who speaking of the affairs of *Murray's* parliament, in *December 1567*, in his history, says expressly, that *Buchanan* wrote his *dialogue* a little before that time. I do not mean the spurious history obtruded upon the world by some godly persons, in print, in the Year 1678, under *Calderwood's* name; but that which goes

goes under his name in the manuscripts, although the former part of it was only borrowed by him; for it had been drawn up by *John Knox's* amanuensis, out of *Knox's* papers, by authority of the General Assembly.

These people also deny that he wrote the libel called *the detection*, so soon as the year 1568, because it is there said that the Earl of *Murray* was dead, who died not till *January* 1570. But that is only a small parenthesis, inserted before the book was printed; for the very first sentences shew that it was written by way of a prelude to the laudable transactions in *England*, in the Year 1568, when *Murray* and his accomplices went thither to accuse their Sovereign of her husband's murder, and took *Buchanan* along with them, not as one of their commissioners, as he himself would insinuate^a, but only for inventing and spreading abroad the scandalous fictions in that libel, to the Queen's dishonour.

If it shall be asked, how it could come to pass, that a man of so deep judgment and great learning, as *Mr. George Buchanan*, could have fallen into so many and so gross blunders in translating these letters into Latin? I, for my part, cannot account for it better than is done already, from p. 81. to 98. It is an
indis-

indisputable matter of fact, for which all persons are equally concerned to account, how it happened. That version declares itself to be *Buchanan's* stile ; and that he was the author of the libel to which he subjoined that version, and in which he cites it, we have the testimonies of Queen *Elizabeth* ^a, its patroness, and of *Cecil* her secretary ^b ; the editions also of the translation of this his libel printed in *Scottish* at that time, bear his name in the title-pages, and that the *Scottish* was translated from his Latin ; And it was universally agreed on to have been so, till a late fantastical writer took a crotchet in his head, that he could elude the imputation of the forgery of the letters, by denying that *Buchanan* wrote his *detection* in Latin : In which notion however he is like to get no followers, but among persons as weak and inconsiderate as himself.

It is a mistake in people to imagine that *Buchanan* was always an accurate translator. He has mistaken the *Scottish* language upon another occasion, and thereby introduced some unpardonable escapes, and incredible stories into his history. For example ; in his XV. book he tells a sad story, ‘ how four men
‘ were put to death for eating flesh in forbid-
‘ den time ;’ and a sadder still, ‘ of a woman
‘ who, because, in her child-birth, she would

x

‘ not

‘ not invoke the *Virgin Mary*’s assistance,
 ‘ was put to death, and her child also.’

The former story let any man believe who lists: But the latter is an error in translating *Lindsay of Pitscottie*. *George Buchanan* borrowed from that heedless author most of his history, from the reign of King *James I.* This *Lindsay*, in his rustick and confused manner of telling his tales, expresseth himself on this occasion in these words:

‘ At *St. Johnston*, the Cardinal and Governor, with the Earl of *Argile*, Justice of
 ‘ *Scotland*, condemned to death four honest men, and gart hang them, because
 ‘ they ate an roasted goose in kentren: And
 ‘ further, condemned an young woman to
 ‘ the death, and gart drown her, because she
 ‘ would not pray to our Lady in her birth
 ‘ and deliverance of child: Therefore they
 ‘ took the young babe off her breast, fucking,
 ‘ and drowned her, but a mercy, as I have
 ‘ shewn to you.’

Buchanan imagined that the latter part of this sentence was to be understood of drowning the child; whereas it is plain that no such meaning had ever entred into his author’s head, rash and credulous as he was.

But here also some readers will need to be informed, that they are not to expect to find
 this

this passage in *Pitcottie's* history as it is printed, no, nor in many manuscripts of it; for as they castrated and mutilated *Calderwood's* history, of which mention has been made already, so did they with *Lindsay of Pitcottie's*, especially from the death of King *James V.* and this they did long ago; so that an intire copy of it is scarcely to be found at this day.

Another gentle trip of the same kind may be seen in *Buchanan's* translation of Queen *MARY's* instructions to the Bishop of *Dunblane*, whom she sent to *France* to notify her marriage with the Earl of *Bothwell*, and to make an apology on that account. When the Queen comes to tell how the Earl, *finding her answer nothing corresponding to his desire, and casting before his eyes the ONTOWARDNESS of her own mind, &c.* he used such and such practices. The *English* negative inseparable preposition *un*, is amongst us pronounced *on*, and in Queen *MARY's* days was so written; thus the *English* word *unseemly* was with us written *onseemly*, and their *untowardness*, is the same with *ontowardness* in the place now cited, though not used precisely in the same meaning; for with them it frequently denotes *frowardness* or *perverseness*, but with us *backwardness*, or *averseness*, in which sense it is to be understood in this place: Un-

luckily too, *n*, the second letter of that word, in most writings of that age, is not to be easily distinguished from the letter *u*, and this gave occasion to *Buchanan*, or to the person who transcribed the copy for his use, to read *outwardness*, translating it *exteriora indicia*, which conveys a meaning repugnant to the Queen's meaning. For my part, I know not whether the expression *outwardness of my mind*, be either *Scottish* or *English* : But whether it is so, or not, surely the Queen did not make use of it in this place, because it is not to the purpose.

Some have asserted that *Buchanan* repented him at last of his having aspersed the Queen so vilely. This however is as obstinately denied by his greatest admirers, as if it had been a crime of the deepest dye. . Whoever reflects that he died upon the 28th of *September*, and had within a month before that published his history, in which he recapitulated the most of his former false aspersions, and added many hundreds more, both of the Queen, and other persons of great character and worth ; whoever, I say, reflects on this, must confess that he was not then in a repenting strain. No man indeed ought to say that he repented not : But if he did, it would seem that it must have been as the miser parts with his money, if he parts with it at all, *in ipso articulo*

articulo mortis, at the very last gasp : For, had he actually repented while he was in a condition to declare it fully, what had he to do, but to tell chiefly, among other things, that he himself had a hand in these vile forgeries ? A thing that I take to be as clear as the sun in the meridian. But perhaps it may be said, that his friends, who would probably be about him at his last moments, would not have chosen to reveal, but rather to smother such a confession, which, if revealed, would have run quite contrary to the designs of the faction which he had espoused, from first to last. All that can be said to this is, that it is a very plausible supposition, but doth not stand upon any solid foundation, for any thing that hath appeared hitherto.

C H A P. VIII.

*Of the Forgery of Nicholas Hubert,
or French Paris's Confessions.*

THE confession of *French Paris*, first published by *James Anderson*, is so full and particular, both as to the letters and the King's murder, that it weighs more with some people than any thing else that hath hitherto been

been alledged upon these heads, and hath misled even people of more than ordinary sagacity and judgment: For I well remember that one of our late criminal judges, of high character for knowledge and integrity, was, by reading it, induced to believe every scandal that had been thrown out against the Queen; on which account it requires to be examined the more narrowly and circumspectly: Indeed the letters themselves having been proved to be forgeries, it follows by direct consequence, that he never carried them between the Queen and the Earl of *Bothwell*, let him have confessed that ever so often. But there are other separate objections and arguments against the truth of his confessions, for there are no less than two of them, one more special against the Earl, which is dated the 9th of *August* 1569, and the other chiefly against the Queen, and in support of the letters, bearing date the 10th of that month. *James Anderson* published only the last of them; but as the former is of a very singular nature, it deserves to be known as well as the other; and it is translated in *Calderswood's* history in manuscript, as follows.

French

French Paris's *first Confession*; ix. August 1569.

‘ I Confess here before God and the world,
 ‘ That upon *Wednesday* or *Thursday* be-
 ‘ fore the *Sunday* of the King’s murder, I
 ‘ being in the Queen’s chamber, at the *Kint*
 ‘ of *Field*, in company of divers others, abid-
 ‘ ing her coming from the King’s chamber,
 ‘ my Lord *Bothwell* came where I was, and
 ‘ rounded unto me, saying, *Paris*, I find
 ‘ me not well of my sickness, the bloody
 ‘ fluxes, that thou knowest. Canst thou not
 ‘ find me out some quiet place, where I may
 ‘ go to do my business? On my faith, said I,
 ‘ my Lord, I was never in this chamber till
 ‘ now; notwithstanding, my Lord, I shall
 ‘ seek out some place; which I did: And
 ‘ having found a quiet nook, betwixt two
 ‘ doors, I said unto him, Come on, my Lord,
 ‘ if you be so hasty. And we being therein
 ‘ entred, I closed the door upon us, taking
 ‘ his gown from him, and began to loose his
 ‘ points. He looks to me, and asks how I
 ‘ did. Well, my Lord, said I, I thank God,
 ‘ and you that hath caused me to be made
 ‘ chamber-child of the Queen’s chamber. He
 ‘ answered me, that that was not enough, and
 ‘ that

' that he would do more for me. I said I was
 ' content, and that I desired no more in the
 ' Queen's house, conform unto my quality,
 ' and that I was content with the same. He
 ' answered me, that I should want nothing
 ' whereof I should shew him : For, says he,
 ' thou hast done me good and lawful service,
 ' since thou hast served me, and I know thou
 ' hast hid my shame and dishonour, where
 ' thou hadst occasion to declare the same,
 ' when thou went from my service forth of
 ' *England*. My Lord, said I, I have done
 ' nothing but the duty of a servant. Now,
 ' well *Paris*, said he, for as much as I have
 ' found thee a true and faithful servant, I will
 ' tell thee one thing, but keep it under the
 ' pain of thy life, that no creature know
 ' thereof. My Lord, said I, it pertaineth
 ' not to a servant to reveal his master's se-
 ' crets, when he forbiddeth him : But if ye
 ' think it be any thing that ye think I cannot
 ' keep close, tell it not me. Wots thou
 ' what the matter is, saith he ? If that this
 ' King here above get on his feet over us
 ' Lords of this realm, he would both be ma-
 ' sterful and cruel : But as for us, we will not
 ' thole such things ; and also it is not the fa-
 ' shion of this country ; and therefore among
 ' us we have concluded to blow him up with
 ' powder within this house. In hearing this

I said nothing, but looked down to the ground. My heart and senses turned suddenly, to hear him say such things. Then looks he to me, and says, What thinkest thou man? My Lord, I am thinking upon that which ye have said to me, which is a great and no small thing. And what thinks thou thereof, said he? What think I, my Lord, quoth I, it mot please you, appardon me, if I shall tell, according to my poor spirit, what I think. What wouldst thou say, quoth he? wouldst thou preach? Said I, ye shall hear. Well, said he, say on, say on.

My Lord, said I, since these five or six years that I have been in your service, I have seen you in great troubles, and never saw any friends that did for you. And now, my Lord, ye are furth of all your troubles, thanked be God, and further in court, as all the world says, than ever ye was: And, for my part, I see every one, great and small, make their court to you. But, I know not, who laughs upon you, that would see you otherwise. I know not, my Lord, ye are of this country; moreover it is said, that ye are the greatest Lands-lord of this country; and also, seeing ye are married, at which time a man should be sitten down, then or never, therefore, my Lord, if ye take such an enterprife in hand, which is great, it

' shall be the greatest trouble that ever ye
 ' had above all others ; for every one will
 ' cry, Have at you : And ye will see it. And
 ' well, said he, hast thou done ? It mot please
 ' you, my Lord, appardon me that I have
 ' said, according to my poor understand-
 ' ing. And, beast that thou art, says he,
 ' thinkest thou that I do it my alone, or of
 ' myself ? My Lord, said I, I know not how
 ' ye do it, but I know it shall be the great-
 ' est trouble ever ye had. How can that be,
 ' quoth he ? for I have *Lethington*, who is
 ' esteemed one of the best ingines, or spirits
 ' of his country, who is the enterpriser of all
 ' this thing : And then I have my Lord *Argile*,
 ' my Lord *Huntly*, my brother, my Lord of
 ' *Morton*, *Ruthven* and *Lindesay*. As for
 ' these three ones, they will never fail me,
 ' for I spake for their grace ; and I have the
 ' hand-writs of all those that I have told thee
 ' of ; and also we were willing to have done
 ' it the last time that we were at *Craigmillar* :
 ' But thou art but a beast, and a silly poor
 ' spirit, and not worthy to understand or
 ' know any thing of consequence. Faith, my
 ' Lord, said I, it is true ; for my spirit ser-
 ' veth me not for such things, but rather to
 ' do you service in all that I may. Now,
 ' well, well, my Lord, they may well make
 ' you master and principal of the deed, but,
 ' when

‘ when it is done, they may happen to lay
 ‘ all the whole upon you, and then shall be
 ‘ the first that shall cry, Ha, ha, at you;
 ‘ yea and them that shall put you first to
 ‘ death, if they may.

‘ But, my Lord, said I, pray you have
 ‘ mind of one, whom ye have not mentioned.
 ‘ I know well that he is beloved of all the
 ‘ commons of this country, and of us *French-*
 ‘ *men* : That when he governed the space
 ‘ of two or three years, there were no trou-
 ‘ bles in the country : All went well : Money
 ‘ had the course. But now, no man is seen
 ‘ that hath any money, and nought else is
 ‘ there now since but troubles. He that I
 ‘ spoke of is wise, and hath good friends and
 ‘ allies. What is he that, said he? My Lord,
 ‘ said I, it is my Lord of *Murray* : I pray,
 ‘ you, what part taketh he? He will not,
 ‘ said he, meddle with the matter. My Lord,
 ‘ said I, he is the more wise. Then he turn-
 ‘ ed about his face to me : My Lord of *Mur-*
 ‘ *ray* ! my Lord of *Murray* ! my Lord of
 ‘ *Murray* ! he will neither hinder us, nor
 ‘ help us; but all is one. Well, well, my
 ‘ Lord, said I, he doth it not without cause,
 ‘ and ye will see it. Hereupon he command-
 ‘ ed me to take the key of the Queen’s cham-
 ‘ ber-door in the *Kirk of Field*. I refusing;
 ‘ wherefore then, said he, have I placed you

' in the Queen's chamber, but to draw ser-
 ' vice out of thee ? Alas, my Lord, said I,
 ' it is to do you service in all things, so far
 ' as I may : but I thought with myself, and
 ' said nothing, (because I feared him,) If I
 ' had known this thing, the chamber should
 ' never have chambered me. And thereup-
 ' on he went from me forth of that hole,
 ' where he had done his business.

' In this mean time, viz. on *Sunday* at
 ' night, long after supper, come *John Hepburn*
 ' and *John Hay*, and knock at the door, and
 ' entered where I was, and brought powder
 ' with them in pocks, and laid it down in the
 ' midst of the chamber : In doing of which my
 ' Lord of *Bothwell* came down to them, and
 ' said, Lord God ! what a din ye make ! They
 ' may hear above all that ye do. And so he
 ' looks, and sees me, and asks what I was do-
 ' ing there, and bad me follow him up to the
 ' King's chamber ; which I did, and came and
 ' stood beside my Lord of *Argile*, with
 ' whom my Lord *Bothwell* was speaking.
 ' The Queen went toward the *Abbey*, and
 ' went up where *Bastian's* bridel was, and
 ' I was up in a nook, where my Lord of
 ' *Bothwell* came to me, and asked, what ailed
 ' me to gloom so, and to be so sad, and that
 ' I made such a gloomy countenance before
 ' the Queen ? he should graith me in such a
 ' sort,

' fort, as I never was in my life. I care not,
 ' my Lord, said I, what ye do to me now,
 ' beseeching you to give me leave to go to
 ' bed, for I am sick. Nay, said he, I will
 ' that ye come with me. Thereupon he
 ' went into his chamber, and after changing
 ' clothes, he went forth, taking with him the
 ' *tailor* and me ; and so went and entred with-
 ' in the garden of the King's lodging : The
 ' *tailor* stood still by the wall-side, and I beside
 ' him. My Lord *Bothwell* came to the gar-
 ' den door, and then came again to us, where
 ' also *John Hay* and *John Hepburn* came :
 ' And incontinent, by they had spoken with
 ' him, behold ! like a tempest and a great
 ' thunder-clap rose up. For fright I fell
 ' to the ground, and my hair stood prick-
 ' up like elsons. Alas, my Lord, said I,
 ' what is this ? I said I had been at many
 ' great interprises, but never interprise feared
 ' me so much as this hath done. By my faith,
 ' said I, such a thing as this will never have
 ' a good end, and ye will see it. O beast !
 ' said he to me, and boasted to strike at me
 ' with his whinger ; but he drew it not out.

' Thereupon he began to make speedily
 ' away, and we after him. He thought to
 ' have past over the wall at *Leith-wynd*, but
 ' he could not. Then sent he *John Hepburn*
 ' to the porter, and caused the port to be o-
 pened

‘ pened. Then went he down the backside
 ‘ of the *Canongate* ; and *John Hay* and we
 ‘ went down the high-gate : Then said I to
 ‘ *John Hay*, of such as this will never come
 ‘ good. It is true, says he, we have greatly
 ‘ offended God : But what remedy ? we must
 ‘ shew our selves vertuous, and pray to God.

‘ *Bothwell*, in his high chamber in the *Ab-*
 ‘ *bay*, sent the *tailor* for me, where were the
 ‘ laird of *Ormeston*, *Hob Ormeston*, *John Hep-*
 ‘ *burn*, *Dalglish*, *Powrie* and I. My Lord
 ‘ asked if I had promised any thing to the
 ‘ King. Nay, my Lord, quoth I. Seest
 ‘ thou not these Gentlemen, quoth he, &c.
 ‘ who have abandoned all for my service ?
 ‘ And if thou thinkest that thou hast offend-
 ‘ ed God, the same lieth not to thy charge,
 ‘ but to mine, who caused thee to do it : For
 ‘ it is the Lords of this country it self, who,
 ‘ with me, have committed this crime ; and,
 ‘ for all the pains that can be put to you, ye
 ‘ must never tell this again. If ye have will
 ‘ to go your way, ye shall depart right soon,
 ‘ and be recompensed.’

It is noted in the title of this confession,
 that he made it at *St. Andrews*, of his own
 free will, without compulsion, but only to
 discharge his conscience, as he affirmed : And
 that he delivered it in *French*, and subscrib-
 ed it as he could, upon every leaf thereof.

This

His deposition or confession is to be seen in the *Cottonian* library, *Caligula*, B. 9. fol. 370. by which it appears that he could not write his name ; for it is marked upon the 3. 5. 7. and 9th pages, with the letter N, and a stroke drawn through the middle of it, to represent the initials of his true name and surname. And as he could not write, it is very probable that he could not read writ, and so could not know what he subscribed. And if he made or subscribed such confessions at all, which may be doubted, he must have been forced to do it by the extremity of torture ; for otherwise no man in his senses would have confessed things which could not be true, against his own life, as he is made to do. It will be difficult to persuade any reasonable person that the Earl of *Bothwell* was so shamelessly impolite, as to have taken such an opportunity for communicating to *Paris* the design of murdering the King, as by this confession he is said to have done. The Earl of *Murray*'s self flattery also is too glaring to escape the observation of the most inattentive reader, and, which is worse, could never have proceeded from *French Paris*. He had been in the Earl of *Bothwell*'s service for five or six years ; but that Earl had been out of the kingdom from 1562 to 1565. How then could *Paris* have known any thing about the
Earl

Earl of *Murray's* administration during that period, which he is here made to extol so highly? There is some ground too for thinking that these confessions have been translated into *French*, after the same manner as the letters to *Bothwell*. Certain it is, that *Powrie* the Earl's porter, is in these confessions transformed into a taylor; and how that should have happened, but through a blunder in the translation, is not easily to be comprehended.

But the positive assertion that the powder by which the King's lodging was blown up, had been laid in a heap upon the floor of the Queen's chamber, seems sufficient to disprove not only this confession, but also *John Hay's* and *John Hepburn's* confessions; for had it been only in a heap on that floor, it would not have had the effect to blow up the vaults below, and the very foundation stones, which actually was done, as we are certified by the act of privy-council ^a, and by the Queen's letter to her ambassador ^b in *France* concerning that matter. This must have been the effect of a mine, as is expressly said in that letter: And yet more particularly the Earl of *Morton's* Inditement bears, that the powder had been a little before placed and put in by him and his accomplices, under the ground and

^a Anderson's collections, vol. i. p. 36.

^b See Bp. Keith's hist. p. viii.

and angular stones, and within the vaults and low and dern places of the lodging, with which it was blown up, as is said in the act of privy-council, ' with such force and vehemency, that of the whole lodging, walls and others, there was nothing left unruined and reduced to dross, to the very ground-stone,' which a heap of powder in the floor of the Queen's chamber could not have done.

But the falseness of *Paris's* confessions is clearly evinced by the publick records, in the same manner as the forgery of the letters appears from them. It hath been shewn already ^a, that the Queen had not arrived at *Glasgow*, till *Saturday* the xxv. of *January* at soonest, and that upon *Tuesday* xxviii. of that month, she had come to *Linlithgow* in her return to *Edinburgh*; so that she could have been at *Glasgow* only three nights at most. Now *Paris* tells us, that after he had staid two days with her Majesty at *Glasgow*, she sent him to *Edinburgh*, with letters to the Earl of *Bothwell*, and to Secretary *Maitland*; and, in truth the first letter could not have been finished till very late in the third or last night that the Queen had been at *Glasgow*, as has been made appear already ^b: so that it was not possible that he could have set out from that place with his letters, till

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the very day on which the Queen herself was come back to *Linlithgow* : Yet he is made to tell us, that he came to *Edinburgh*, and delivered his letters, and tarried there that night, and till after dinner the next day, before he got his dispatches, and then returned to *Glasgow*, before the Queen had left that town : Which could not possibly be true, because it would have required that her Majesty should have tarried there twice as long as she really did.

Hence the fraud in these confessions is evident. But whether the man was compelled, by torture, to utter these falsehoods, and to accuse himself of crimes which he could not possibly have committed ; or whether they forged all in his name, without his privity, cannot easily be determined, nor is it material ; for which soever of these methods was used, it comes to the very same purpose.

'Tis observable that poor *Paris* is made to bring in Secretary *Maitland* and Sir *James Balfour* Clerk Register, as privy to the King's murder ; of which there had been no mention made in any of the former confessions, that *Murray* and his accomplices had extorted from other persons whom they had put to death : But at this time *Murray* was beginning to pick quarrels with these two gentlemen. Nor had the Queen been directly accused in any of the former confessions, which they had pro-

produced before the court of *England*; which being found a great defect, is here full liberally supplied.

A N

E N Q U I R Y

I N T O T H E

Murder of King H E N R Y.

C H A P. I.

The Prior of St. Andrews his first Appearance upon the Stage of Action.

AS the pretended letters to *Bothwell* were the only means that the Queen's enemies could devise, for supporting the horrid calumnious aspersions^a with which they loaded her; so these letters being now unanswerably proved to have been none of hers, but their own coarse manufacture, 'tis highly reason-
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able

^a Append. p. 64. 67. 235. 256.

able that the Queen should be acquitted, as fully as if no such false imputations had ever been laid to her charge. And, for my own part, I cannot enough wonder and admire how a great number of writers, both *Roman Catholicks* and *Protestants*, of considerable reputation both for judgment and learning, have suffered themselves to be imposed on, by such improbable, or rather incredible and nonsensical stories. As to *George Buchanan* and *John Knox*, whatever they have written deserves no consideration to be had of it, as they were men of abominable practices, and correspondent characters. But what can be said for *Monfr. de Thou*, *Archbishop Spottiswood*, and others like them, who have obtained a good character in the world, and cannot be accused of any open or notorious crimes, and were not, nor could have been, actually concerned in the transactions then carried on; and therefore are to be supposed to have been quite free from all malice and partiality? Yet have they, especially the former, transcribed into their histories most of *George Buchanan's* vile aspersions, which are so far from being true, that they are neither probable nor credible; and these men by adopting them, have misled not a few well meaning persons out of the plain paths of truth.

But

But still it may be made a question, By whom was the King's murder contrived, if not by the Queen? For that he was shamefully murdered, is certain: And as certain it is, that there had been a misunderstanding betwixt him and her for some time before. Now, altho' it could not be made appear who were either the contrivers or executers of that fact, it would be highly unreasonable to throw the suspicion upon the Queen. But after it has been made manifest that all the proofs, presumptions, and allegations that were so industriously trumped up, and sworn against her by *Murray* and his party, were only so many gross compositions and inventions of their own, and that they were not able to bring the least real evidence against her innocency, the presumption turns against themselves: For men who could so openly and confidently thrust the Queen in prison, and then swear so many of their own rank forgeries upon her, in order to intrude themselves into the supreme authority in her kingdom, and to seize her riches, were surely very capable of murdering the King too, because that was also a main step to attain to their purpose.

And as to the misunderstanding that had been betwixt the Queen and her husband, it was also wholly to be charged to the account of

of *Murray* and his party, who had induced the unwary young man, to enter into a private confederacy with them, against the Queen herself, for very unlawful and wicked purposes, of which afterwards.

James Earl of Murray had, for many years been aiming at the crown. He had entered into a confederacy with the King of *England* against his native country, before he was 17 years of age, having got himself introduced to some acquaintance and correspondence with the Duke of *Somerset*, Lord Protector of *England*, and also with King *Edward VI.* by means of Sir *John Melvill* of *Raith* ^a. At that age, while as yet he was only Prior of *St. Andrews*; he had declared himself, forsooth, to be *against the French*, an expression unknown among *Scotsmen* in former times, but which had then lately come in use among some persons, and chiefly among the men of *Fife*, who were forming designs for selling or enslaving their native country to the *English*. It is more than probable that the execution of Sir *John Melvill*, who had soon after this been condemned for treason, by the three estates in parliament, made the Prior a little more circumspect for some time. This is certain, that he was so far reconciled

^a Cotton. lib. Cal. B. 7. fol. 455.

ciled to the *French*, a few years thereafter, that he accepted of the rich priory of *Mafcon* in Commendam, which is conferred upon him by a bull of Pope *Paul IV.* dated the tenth day of *January 1555*, with a dispensation to him for holding three ample benefices, notwithstanding his bastardy, &c, for which he took an oath of fealty to his Holiness : Oaths however are but words.

In *February 1558*, he went as one of the commissioners sent from *Scotland* to solemnise the Queen's marriage with the Dauphin of *France*. At which time, if we might give credit to most of the common histories of these times, domestick or foreign, he was not quite so civilly used. They tell us of ' a long conference, betwixt the Chancellor of *France* ' and these *Scottish* Commissioners in the ' King's council, about delivering up the ' crown and other *regalia* of *Scotland*, that ' the Dauphin, the Queen's husband, might ' be crowned King of *Scotland* ; which the ' *Scottish* Commissioners, according to them, ' thought highly unreasonable, and therefore ' refused all assent or consent in that matter, ' it being a point of treason, in which they ' durst not meddle even so far as to propose ' it at home, but at the peril of losing their ' heads : On account of which refusal they ' had poison administred to them, before they ' left

‘ left *France*, whereof about one half of them
 ‘ died, with many of their retinue, at a time
 ‘ when there was no pestilential disease in the
 ‘ country; and that all this was a contri-
 ‘ vance of the *Guises*.’ *George Buchanan*
 writes also, that the prior of *St. Andrews* had
 tasted of the same potion; and though, by the
 vigour of youth, he escaped death, yet was
 he ever afterwards afflicted with a continual
 and dangerous ailment in his stomach. Indeed
 the Prior himself seems to have been the pro-
 pagator of these stories, for in a kind of ma-
 nifesto drawn up by him and his associates
 the next year, when they set about their re-
 forming work, the poisoning these Ambassa-
 dors is condescended on as a special grievance.
Buchanan however had not the last part of
 the story concerning the Prior from himself,
 but out of *Lindsay of Pitscottie’s* book,
 whose account he curtailed. Had he given the
 whole of it, every one could have perceived
 how much credit it deserves: For *Pitscottie*
 writes, ‘ that the physicians hung up the
 ‘ Prior by the heels, to let the poison drop
 ‘ out of him.’

The whole story, and every part of it is
 either pure fiction, or misrepresentation of
 plain matter of fact.

By

By the very contract of marriage it was agreed that the *Dauphin* should use the title and arms of *King of Scotland*; and the *Scottish* ambassadors, or commissioners, obliged themselves to take an oath of fealty to the *Dauphin*, in name of the estates of *Scotland*, that they should serve, honour and obey him, during the marriage, as *King of Scotland*, in the same manner as they and their predecessors had been in use to do to the *Queen's* progenitors. This was actually done by six of them, of whom the *Prior of St. Andrews* was one; and the deed, upon that occasion was signed, sealed and delivered by them, four days after the marriage. The *Earls of Rothes* and *Cassils*, and the *Bishops of Orkney* and *Ross* principal Secretary, who all died not long thereafter, had probably been sick at that very juncture; and so are not among the subscribers; for could they have been present, who can doubt but they would have joined with the rest?

Even this goes very far to discredit the story of poisoning, especially if it is considered that both these *Earls* and *Bishops* stood firmly for the joint interest of *France* and *Scotland*. Why should the *French* have poisoned their friends? The truth of the matter is, that something pestilential or noxious in the air that year, was the real occasion of the

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death

death of so many of them : Nor were the effects of it confined to them only, for numbers were cut off through the several parts of *Europe* about that very time. In our neighbouring nation, their Queen, and Cardinal *Pole*, Archbishop of *Canterbury*, with the Bishops of *Bath* and *Wells*, *Bristol*, *Carlisle*, *Chichester*, *Durham*, *Litchfield* and *Coventry*, *London*, *Rocheſter* and *St. Davids*, *Sodor*, and *Wincheſter*, died all of them in about a year's time. In ſhort, when Queen *Elizabeth* began to ſet up her Proteſtant Bishops, there were no leſs than fifteen Epiſcopal Sees, out of twenty ſeven, that were become vacant by death ; which doubtleſs contributed not a little to facilitate the deprivation of the few that ſurvived, and the ſetting up Proteſtancy in that kingdom.

If near the half of the *English* Bishops died in their native country, in ſo ſhort a ſpace of time, and I hope, without poiſon, why ought we not to conclude that the half, or near the half of our ambaffadors died abroad at the ſame time, in the ſame way ? No document has yet appeared, by which the particular day or month of their ſeveral deaths can be aſcertained. Biſhop *Leſly* writes that three of them died in *September* ; but the act of parliament upon the penult day of *November*, mentions only one of them to have been then dead ;

dead; and expressly bears that the other three then remained in the ports of *France*. Monfr. *de Thou* remarks that the years 1557, 1558, and 1559, especially the latter, proved fatal to a vast number of great and learned men, several of whom he names particularly; and tho' he thought the great and learned only worthy to have particular notice taken of them, we are not to imagine but that the meaner sort and unlearned died also in proportion to their numbers, or not far below it.

By the bills of mortality of some foreign cities it is to be seen that the mortality began to increase amongst them in the year 1558, and continued to increase through the two following years. After this manner is the death of the *Scottish* ambassadors to be naturally accounted for, without raising so vile a calumny upon persons who, for any thing that appears, were both too great and too good, to have been guilty of an action so wicked and unmanly. As there was therefore at that time a real pestilential quality in the air, through the different parts of *Europe*, what apology can be made for the historians who have defiled their writings with scandalous aspersions, so ill founded, with relation to these commissioners?

The commissioners, or ambassadors, who returned home in health, laid their whole

transactions before the parliament, which met for that purpose, and thereupon were by act of parliament, honourably and fully acquitted and discharged of the trust that had been committed to them. After which they informed the parliament, that the Queen their Sovereign, desired that the three estates of her realm would find it good, that her Majesty might honour her spouse, the King Dauphin, with the crown matrimonial, by way of gratification, during the marriage, without any manner of prejudice to her Highness's self, the succession of her body, or lawful succession of her blood whatsoever: And this crown to be sent with two or three of the Lords of her realm, &c.* All which was readily agreed to and enacted, as also, that the Queen should have the nomination of such persons as should please her, to carry the same to *France*, whose commission should pass in the name of the three estates, and be sealed with the seals of six of the principals of each estate, and subscribed with their hands. Bp. *Keith* hath published these acts, by which the efforts of *Buchanan* and his followers, to transmit to latest posterity the account of these transactions in a false and ridiculous light, are egregiously baffled.

* Hist. p. 76. & append. p. 13.

CHAP. II.

Of some Settlements of the Crown, said to have been made by the Queen.

BUT although all can be made clear enough against the misrepresentations of the ordinary historians or libellers of these times, or those who have since transcribed their inventions, some papers have appeared of late, which argue that there were very perfidious under-hand dealings carried on at that time at the court of *France*, to wit, that they induced Q. MARY to subscribe three several private deeds of a very extraordinary nature. By one of which, in case she should die without children, she makes over the kingdom of *Scotland* to the King of *France* for the time then being, and to his heirs, together with any right that might afterwards devolve upon her to the kingdom of *England*; and this on account of her maintenance and other great expences made by the Kings of *France* on her behalf. By another, in case of her decease without children, she pledges the kingdom of *Scotland* to the King of *France*, till he should be reimbursed of a million of gold, [*ecus*, or crowns, I suppose,] which she

she did, as the writing bears, by advice of her uncles, the Cardinal of *Lorraine* and Duke of *Guise* : But the former mentions no such advice or consent : Both bear to have been accepted for the King of *France* and his successors by the Cardinal *de Sens*, Chancellor of that kingdom. By the third she declares, that whatever accord or consent she had made, or should make, to the articles and instructions sent by the three estates of her kingdom, and especially concerning the succession in case of her decease without children, her will and intention was, that these dispositions made by her in favours of the King of *France*, should remain intire and have full effect : In this the Dauphin also joins and subscribes along with her. All the three papers are dated the iv. day of *April* 1557, before Easter, and signed below by *Clausse* and *Bourdin*, who are called in the body of each paper, Notaries and Secretaries of the crown of *France*.

Queen *MARY*'s misfortunes sprung chiefly from such sources as make other sovereign Princes most adored, and their people most happy, that she was born to succeed to great dominions, and that she was endow'd with extraordinary goodness, and a merciful disposition. Because she was born to inherit three kingdoms, her enemies gave out that she had several

veral times disposed of them, in prejudice, not only of the collateral line, but even of her own son. Thus the Prince of *Condé*, in order to induce *Elizabeth* Queen of *England* to assist him the more effectually to usurp the throne of *France*, under the pretext of setting up the Protestant religion, causes that Queen be inform'd in the month of *December* 1568; that the *Cardinal de Lorrain*, upon account of Queen *MARY* his niece, and to establish Popery in *England*, had prevailed with his said niece, to make a cession of her right to the crown of *England*, to Monsieur the King of *France* his brother; (that is, to *Henry* Duke of *Anjou*, afterwards King of *France* and *Poland*), and that the Pope had confirmed the gift, and given the investiture thereupon, for which purpose one *Hannibal Rocheline* had been sent away in haste.

As if this had not been enough, after the Queen was murdered, a story was spread, that she had left *England* to the King of *Spain*, by her testament written with her own hand the night before the murder, in case her son should not become *Roman Catholic*. That this testament came to the hands of *Cardinal de Lauro* protector of the kingdom of *Scotland*, who having examined it, by comparing it with letters which he had former-

‘formerly received from the Queen; and having made *Lewis Owen* Bishop of *Casan* to put his seal to it, together with himself, as a certain and undoubted deed, he delivered it to the Count *de Olivarez*, to be by him transmitted to, the King of *Spain*.’ This story was first broached in *England*; for I have at present in my hand a pretended copy of a letter from the Queen to *Don Bernardino de Mendoza*, bearing date 26th May 1586, subscribed by *Cecil*, *Hatton* and *Walsingham*, whereby she is made to acquaint him that she intended to make such a testament, desiring him to let the King his master know so much, but no other person^a. The three subscriptions above-mentioned are for testifying that they had such an authentic letter before them, from which they made this transcript; and yet it is pretty plain there had not been two of them present together at signing it; for they all subscribe with different ink. *Cecil* subscribes in the same ink with which the paper is written; which serves to discover from whence it proceeded. It seems to have been sent down to Secretary *Maitland*, in order to raise in
King

^a See it in the 3d Vol. of Dr. Mackenzie's *Lives*, p. 404. But he seems not to have understood it perfectly. See p. 405.

King James a bad notion of his mother's affection to him ^a.

The next time that we hear of this matter is by the Abbé Pignerol, in his life of the Cardinal *de Lauro*, whose servant he had been. Then the story is repeated by Monsr. *de Thou*. Lastly, Dr. *Gilbert Burnet* having got that life of the Cardinal, he exulted, as if he had found a vast treasure; and inserted the Abbé Pignerol's tale in his collection of papers, as an unanswerable evidence that the Queen had left *England* to the King of *Spain*. I can think of no better or readier way to refute all these idle stories, than by producing the real testament, written by the Queen the night before her death, which I purpose to do before this volume be ended; and I hope it will be found more probative than *Cecil's* letter, or the Abbé Pignerol's tale.

As to the Prince of *Condé's* information, who knows but we may have such papers yet trumped up of that cession to *Henry Duke of Anjou*, as we mentioned of the cession said to have been made to the Dauphin? I make no doubt but the Prince of *Condé* was capable enough of getting his information made good, so far as the writing two or three papers could go, if he had thought by that to come nearer to his purpose. The crown of *France* was no
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small

small temptation; and both he and his brother had gone pretty great lengths, under the then common pretext of reforming religion, to cut off all the sons of King *Henry II.* to make way for themselves; which at last was one way or other effectuated in the days of his nephew. His own designs are very conspicuous, from his getting himself crowned by his followers as King of *France*, while the throne was yet full, and coining gold in his own name, with this modest inscription, *LUDOVICUS DEI GRATIA FRANCORUM REX PRIMUS CHRISTIANUS*^a. Doubtless a King so compleatly christian was capable to coin any thing for attaining so high ends.

To return to the papers said to be the Queen's gift of her kingdom of *Scotland* to the King of *France*, failing heirs of her own body. The third of these papers was printed in the year 1693^b, among a collection of treaties with *France*, published by *Frederick Leonard*, in six volumes in *quarto*. For the second time it appeared in a larger collection of treaties published at *Amsterdam*, in four volumes in *folio*^c, the year 1700; and lastly in *Du Mont's corps diplomatique*^d.

The writer of it, whoever he was, seems to

^a Spondani annal. eccl. II. 694. Le Blanc sur les Monnoyes de France, p. 270.

^b Vol. 2. p. 510. ^c Vol. 2. p. 277. ^d Vol. 5. p. 21.

to have committed a slip, not easily to be accounted for, on supposition that the paper is genuine ; for the Queen is made to alledge the war then presently breaking out betwixt *France* and *England*, as a cause why she made that deed : *vû memement le tems present de l'ouverture de la guerre au royaume d'Angleterre*. But the war with *England* had broke out in *June* 1557, and the *French* had the worst of it, till the Duke of *Guise* got the chief command of the *French* armies in *December* that year, who, before the end of *January* preceeding the date of these papers, had taken *Calais*, *Guines*, and the fort of *Hames* from the *English*, and driven them altogether out of the places, which for a long time they had held in *France*. Therefore, to speak of that war on the 4th of *April* 1558, as only breaking out, doth not look very well. It seems the later editors were of this opinion, for which reason they took the liberty to expunge the words, *de l'ouverture*, which are both in the manuscript copies, and first edition in print.

The second paper bears expressly that it was granted by the advice of her uncles, the Cardinal of *Lorraine* and Duke of *Guise*. Had it been so, one of them, as her curators, ought to have signed it along with her, and to have affixed his seal, as they used to do

in all her real deeds of importance, both before and after this pretended gift. If it had been a real deed, this would not have been omitted, for without this it was less valid.

It is not easy to believe that the King of *France*, who was himself also one of Queen *MARY*'s curators, would have accepted of such an illegal and invalid deed in his own favour, from his pupil and intended daughter in law, when at the age of fifteen years, whom he himself ought to have dissuaded from granting any deed of the like nature. And these loose detached papers, so carelessly executed, are not sufficient to load the King of *France* and his ministers with so much injustice and weakness, unless their credit could be supported by some overt act or extrinsic adminicle ; for it is not to be supposed that they would have drawn up such illegal, null and infamous papers, that could serve to no manner of purpose, but to reflect dishonour on all parties concerned in them. But even could it be made appear that they certainly did so, the blame ought to ly entirely at their own door, and no imputation for that matter ought to be cast upon the young Queen, who was entirely under their direction, and at their disposal.

C H A P. III.

*Of the Designs to usurp the Crown
after the Queen's Marriage.*

SOON after the Queen's marriage with the Dauphin of *France*, matters in *Scotland* went into great disorder. No less than two different persons set themselves up to deprive her of her kingdom, namely, the Duke of *Chastelherault*, and the Prior of *St. Andrews*. For *Q. Mary* of *England* having departed this life that year, the *English* had set upon the throne *Elizabeth*, the illegitimate daughter of *Henry VIII.* by *Anne Bolen*, who inclining to the Protestants, more out of policy than from any religious regard, quite changed the ecclesiastical establishment in that kingdom. The Duke of *Chastelherault* had, for some years before, behaved himself neither so dutifully nor so honourably as became a man of his rank and quality^a; and the *English* embraced the opportunity of managing his disaffection to the disturbance of his native country. This *English* Queen and her ministers insinuated that she would marry

^a Bp. Keith's hist. Append. p. 21.

marry his son the Earl of *Arran*, then commander of the *Scots* guards in *France*, and having buoy'd up the young man with this vain expectation, they induced him to steal away secretly from the court of *France*, and conveyed him privately first into *England*, and then to *Scotland*^a, where his father was abetting and fomenting a rebellion that had been lately raised, upon the pretext of reformation of religion, but in reality for seizing the crown and the church lands, revenues and riches, as they had seen done in *England*. By this marriage, of which they thought themselves quite secure, as it had first been proposed to them, they expected soon to become masters both of *Scotland* and *England*; on which consideration they slighted the loss of their possessions and offices which the King of *France* had conferred upon them, and threw up all care and regard for their Sovereign.

At the same time the Prior of *St. Andrews* taking courage, it would seem, by the example lately set in *England*, imagined that his high profession of sanctity, and fiery zeal for protestantism, might well compensate for his illegitimacy, and induce the reformers to promote him to the crown. He had joined himself with these reformers as early at least as the beginning of the year 1557,
and

^a Dr. Forbes, l. 214. 215. &c.

and concurred in their covenants and confederacies made against all who should oppose them, without exception *. At last he became their chief ringleader, and set himself to thwart the Duke of *Chastelherault* in his designs.

Some people at that time, and also in our days do warmly deny that he ever was aiming at the crown ; but all his after actions and behaviour do loudly proclaim that he did so. The Queen Dowager of *Scotland*, and the King of *France*, who could not fail to have good intelligence, believed no less of him. Sir *Nicholas Throckmorton*, the *English* ambassador in *France*, who carried on a close correspondence with that party, writes to secretary *Cecil* upon the xxvi. of *July* 1559, ' That he was secretly informed that there ' was a party in *Scotland* for the placing ' of the Prior of *St. Andrews* in the state of ' *Scotland* ; and that the Prior himself did, by ' all the secret means he could, aspire there- ' to b '. The Duke of *Northfolk* was positive enough that *Murray* was still pursuing the same game, even in *September* MDLXIX. only about four months before he was shot at *Linlithgow* ; for thus he writes to *Cecil*, upon the xv. day of that month c. ' You may see

* Bp. Keith's hist. p. 65. 66.

b Dr. Forbes, I. 180. c Haynes, p.

' see by the Earl of *Murray's* dealing with
 ' *Lethington*, what mark he shoots at; and
 ' how little he careth for any thing that is
 ' advised here.— He that hath been so
 ' bold with his own mistress, as to bereave her
 ' of her kingdom and liberty, thinks it but a
 ' small matter to refuse to be advised by
 ' the Queen's Majesty. You shall find that
 ' he hath forgotten all former friendship.
 ' He hath a new mark in his eye, no less
 ' than a kingdom: God send him such luck
 ' as others have had, who have followed his
 ' course.'

This was the general persuasion of all persons of tolerable sagacity at that time, as might be made appear by other good testimonies. Perhaps one from Queen *Elizabeth* will be of use to convince some people, that there was a design at that time to bereave our Queen of her kingdom; these are her words, which follow:

' It is well known, that before the making
 ' of the treaty of *Edinburgh*,— there was an
 ' intent discovered unto us, even by *Lethington* himself, whom afterwards she specially
 ' favoured, to deprive her of her crown:
 ' Which motion we utterly rejected *. I shall
 ' shall not positively affirm that this proposal
 was

* Cotton libr. Cal. c. 9. Instructions to the Earl of Shrewsbury and Mr. Beale 6. April 1583.

was to set up my Lord Prior, but surely it must have consisted with his knowledge ; for he and *Letbington* were at that time very gracious ; and it is not likely that his Lordship would have readily consented that any other person should have occupied that room. But the Prior's own conduct and actions afford the strongest evidence. After they had made their league with *England*, (to which he subscribes in the first place) and by the assistance of the *English* army had got the town of *Leith* evacuated ; they began in their way to settle their reformation ; but neither of the two competitors could find the means to seize the government into his own hands : For the one always opposed the other, by all the means that could be invented. The young Earl of *Arran* finding himself entirely frustrated of his high expectations, turned frantick on the disappointment, of which he never recovered.

The King of *France* happening to die in the year 1560, the Queen began to think of returning to her kingdom of *Scotland* ; on which occasion there was one deputation sent to attend her by the *Roman* Catholics, and another by the Protestants, and this last was no other than the Prior himself, who, in his way, took advice with Queen *Elizabeth*, and her ministers, how he should behave himself.

self. When he waited on the Queen, he proposed some things for the satisfaction of his dear crony Queen *Elizabeth*; and for his own part he sought only the Earldom of *Murray*, by way of gratification for his travel, and that the Queen should constitute him governor of *Scotland* till she herself should return*, with some ecclesiastical benefices to be bestowed among his most trusty friends. But the Queen would dispose of none of these things till she should arrive herself in *Scotland*, and take the advice of her own nobility. The Prior thus disappointed, returns home through *England*; and having learned all that he could, about the time and other particulars relating to his Sovereign's return to *Scotland*, he acquainted Q. *Elizabeth*, and would needs have her to cause intercept Queen *MARY* in her passage. *Camden* says expressly, ‘ That *James* the bastard having a little before returned through *England*, gave advices under-hand to intercept her, both for *Elizabeth*'s security, and the interest of religion.’ He adds, ‘ that *Lethington* advised the same thing, lest if she should return, she should raise wonderful tragedies, cut off their intercourse with the *English*, depress the faction that favoured them,

* Bp. Keith's hist. p. 163.

‘ them, &c.’ for which he cites *Lethington*’s letters,

Camden’s veracity hath indeed been called much in question in late times, because he tells some ungracious truths. But his vouchers are still extant, and in particular this letter of *Lethington* has been published by Bishop *Keith* *; and it contains expressions rather stronger than *Camden*’s translation has them. Thus besides the things already cited from *Camden*; ‘ She will not be served, says *Lethington*, with those that bear any good-will to *England*: Some quarrel shall be pick’d with them; not directly for religion at the first; but where the accusation of heresy would be odious, men must be charged with treason. The like of this, I think, hath been seen in Q. MARY’S days. A few number thus disgraced, dispatched or dispersed, the rest will be an easy prey; and then may the butchery of *Bonner* plainly begin, &c.’

The *English* Queen did not fail to follow the Prior’s counsel. She absolutely refused either to allow Queen MARY to pass through *England* into *Scotland*, or to grant a safe conduct. And a fleet was actually fitted out, and put to sea, for apprehending her in her passage: But they missed their aim; for

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the Queen arrived safely in *Scotland* upon the xix. day of *August* MDLXI. notwithstanding all their anxiety to intercept her. But when she came, she found that no suitable preparations had been made for her reception; because the persons who at that time took the management of affairs upon them, were in hopes that she would never come, but fall into the hands of the *English*, to be murdered by them at that time.

I know how *Elizabeth* by her letters to Queen MARY herself, denied that there were any ships sent to sea to intercept her, or that any such thing was ever designed. 'Whereas it seems, says she, that report hath been made to you, that we had sent our admiral to the seas, with our navy, to impesch your passage; both your servants do well understand how false that report was, considering for a truth, that we have not any more than two or three small barks upon the seas to apprehend certain pirates, being thereto intreated, and, in a manner, compelled thereto, by the earnest request of the ambassador of our good brother the King of *Spain*, made to us of certain of your subjects, *Scotsmen*, haunting our seas as pirates, under pretence of letters of marque.' Thus far *Elizabeth*. But her
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Lord keeper *Bacon*, in a speech that he delivered in the Privy-council of *England*, in the year 1562, against an interview proposed betwixt Queen *MARY* and Q. *Elizabeth*, expressed himself, in a quite different strain. ' Again, says he, by the continual offence that the Queen of *Scots* and the house of *Guise*'s friends took within their breasts daily, for that the Queen hath not * * * nor that she and they desire she should now have. A matter of itself doubtless sufficient to continue any old displeasure, or to breed a new, whatever shew or countenance, by word or promise, be made to the contrary,

' Besides, think you that the *Scottish* Queen's suit, made in all friendly manner, to come through *England*, at the time she left *France* to come into *Scotland*, and the denial thereof, except the treaty were ratified, is by them forgotten? or else your sending of your ships to sea at the time of her passage? Now doubtless, to speak as I think, these and the rest, which you remember as well as I, were able to make her, tho' before well disposed, to be clean otherwise given; and then much more to continue, with some increase, the old conceived affection towards this realm, especially seeing it is joined with ambition to a kingdom:

And

‘ And as our doings, on our side, have deserved no change of their affection, but rather the maintenance of the old displeasure, with increase, no more ought we to hope for at their hands.’ Thus he ^a, and truth has a good face. After what hath been said, any person who can doubt, but that the *English* sent out a Squadron to intercept Queen MARY, and that too by the counsel, consent and approbation of the Prior of *St. Andrews*, and his accomplices, must be a sceptic indeed in history.

^a From a MS. intituled, *Placita secreti consilii*, once in the library of Dr. Moor Bp. of Ely, now in the library of the university of Cambridge.

C H A P.

C H A P. IV.

Of the Prior's Atchievements, after he became Queen MARY's prime Minister.

TH E sudden death of King *Henry II.* of *France*, and the death of King *Francis II.* Queen *MARY's* husband, so soon thereafter, threw her affairs into great disorder. Upon the death of Queen *Mary* of *England* in *November 1558*, King *Henry* her father in law, and one of her curators, in conjunction with the other two curators her uncles, had thought fit that she should take the title and arms of Queen of *England*; and had they done any thing less, they had been blame worthy, as very negligent of the trust reposed in them, for she unquestionably had the right in her person, as far as such right can be conveyed by legitimate descent, joined with proximity of blood, and supported by the laws and general practice. 'Tis well known that King *Henry VIII.* of *England*, and his parliaments had declared both his daughters bastards. After he came to the crown, he had married *Katharine* of *Spain*, his brother's widow, by a dispensation from the Pope;

Pope; but after he had lived with her about eighteen years, casting his eye upon *Anne Bolen*, one of her maids, he began to plead great scruples and qualms of conscience about the legality of his marriage; and it is almost incredible what pains and expences he bestowed to have it believed throughout all *Europe*, and declared by the most famous universities at home and abroad, that he had lived all that time in incest, not to mention how many lives this matter cost. He much wanted that the Pope would give the same declaration, but could not obtain it; therefore he shook off his authority, took the power in his own hands, and, by the assistance of Dr. *Thomas Cranmer*, whom for that end he had made Archbishop of *Canterbury*, he divorced his wife, and then he and his parliament declared his daughter *Mary* an incestuous bastard, and incapable to succeed to the crown. But before all this could be accomplished, King *Henry's* conscience began to discover itself; for *Anne Bolen* had first become with child to him, so he married her privily upon the xxv. of *January*, got his wife divorced 23d of *May*, and had his daughter *Elizabeth* born to him by *Anne Bolen* upon the 7th day of *September* 1533 ^a.

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^a Stow. Cranmer in one of his letters. Dugdale's *Baronage*, p. 306. vol. 2. Burnet's reformation, vol. 3. &c.

But the worst of it is, that, after all, *Anne Bolen* was in the same degree of affinity with *Henry VIII.* as his former wife: This appears very evidently from a bull which he desired from the Pope: A bull ' by which his ' marriage with *Katharine* was to be declared ' null and invalid, because she was his brother's widow; so that he might lawfully ' marry any other woman: And in consequence of such declaration of the nullity of ' that marriage, he might be dispensed with ' to marry any other woman lawfully, and ' with her to live freely in that marriage, and ' beget lawful issue therein; even though she ' should be such a woman as had already ' contracted marriage with another man, provided she had not consummated that marriage by carnal knowledge; and although ' she should be related to *Henry* himself, in ' the second or more remote degree of consanguinity; or in the first degree of affinity, ' *ex quocunque, licito seu illicito, coitu* ^a, provided she was not his said brother's widow. With other provisos of less moment.

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^a White Kennet, in his edition of Lord Herbert's life of Henry VIII. gives an English translation of this bull, where he thus renders these Latin words, *either from lawful or forbidden wedlock*; but they include every thing, in wedlock or out of wedlock, lawful or unlawful.

The Pope *Clement VII.* being at that time very much oppressed by *Charles V.* the Emperor, was very loth to disoblige *Henry*, so he granted the bull in the very terms as he desired it, upon the xvii. day of *December* 1527, not above a week after he had been freed from prison in the castle of *St. Angelo* ; but he inserted a small clause in it, by which he rendered it quite void ; for he granted it only with this proviso, ‘ That *Henry’s* contract of marriage with the said *Katharine* ‘ should be first declared to have been, and ‘ still to be null and invalid ; the determination of which point he reserved to himself, as reason required ; and it is well known that he could never be prevailed upon to allow that it was a null marriage : And in truth, to have allowed or determined otherwise, had been to break down all barriers, and quite to overturn and invalidate the most solemn and sacred ties and obligations upon earth.

It is a matter worthy of our observation, that at the time of granting this bull, *Henry VIII.* and his council acknowledged and took it for granted, with the most of mankind, that the Pope had such a dispensing power : But when they found that he would not go all their lengths, they cried out loudly that he had it not : And it is more than probable that if the Pope had come into *Henry’s* measures,

measures, to do this manifest piece of injustice, his authority had still been as great in *England*, or rather greater, than in any other nation in the world, as it had formerly been. So inconsistent are some men rendered by their irregular passions and appetites.

But as to the view of desiring such an extraordinary and extravagant bull, What could it be that troubled *Henry VIII.* his conscience, that he press'd so earnestly to have his first marriage dissolved, as incestuous, because his wife was related to him in the first degree of affinity; and yet to desire that he should be authorised to marry another, not only related to him in the same degree, but also one who had contracted already with another man? And by what means imaginable had *Henry* got women related to him in that degree, with whom he designed to marry? Why truly he had kept for a mistress *Mary Bolen*, sister to *Anne Bolen*, whom, upon fixing his fancy on *Anne*, he discarded, and caused *William Carey*, whom he called gentleman of his privy chamber, to marry her. This *Anne* had contracted already with *Henry Piercy*, the Earl of *Northumberland's* eldest son, who, being a young unexperienced man, and having the opportunity of being frequently at court in Cardinal *Woolsey's* train, was easily kidnapped by such a designing young woman, and had con-

tracted to marry her ; till his father, perceiving conscientious *Henry's* inclinations, with terrible threats dissuaded him from pursuing so dangerous game : And hence it is that *Henry* desires, not only that he should have a dispensation to marry a woman related to him in the first degree of affinity, but also, ' altho' that woman should have been contracted with another man.'

If this explanation of a deed, being in itself so grossly scandalous and abominable, shall seem rash and uncharitable, to be made at this distance of time, 'tis hoped the testimony of Cardinal *Pool*, will be of some weight to support it. The Cardinal, whose integrity no man hitherto has attacked with success, addresses *Henry VIII.* in these words, ' Had ye left your wife, because ye persuaded yourself that the law pronounced that marriage wicked and abominable, would ye not have taken the most particular care, that you should not a second time pollute yourself with such another marriage ? Would ye not have abstained altogether from such persons as were in the same, or even a worse condition, than your former wife ? You could not have done otherwise, had you acted from any motive proceeding from the law ; but you must have detested them who would have advised you to any such marriage,

riage, or even who would make mention of it
in your presence. What is she with whom
ye joined yourself in your divorced wife's
room, and what kind of person? Is she not
the sister of one, whom ye first deflowered,
and long thereafter kept with you as a con-
cubine? She is actually the person. By what
means then do you perswade us that ye a-
void unlawful marriages? Was ye in this
case unacquainted with the law, which in
reality no less prohibits to marry a woman
with whose sister you had made your self
one flesh, than her with whom your brother
was one flesh? Is the one to be detested?
so is also the other. Yea you of all men
knew best. But how doth this come to my
knowledge? Even because at that very
time, when ye was rejecting the Pope's
dispensation, ye strove with great keenness
with the same Pope, to have a licence grant-
ed you for marrying the sister of her who
had been your concubine, and obtained it,
upon this condition, that it should first be
made manifest that the Pope had not the
power of granting a dispensation in the for-
mer case. Doth not then this very wo-
man, whom ye now have for a wife, most
plainly shew what your purpose was? Doth
not God, through her person, let her be
silent, make it evident to all men, that you
made

' made mention of the law to serve your lust,
 ' and not out of compliance with God's com-
 ' mandment? But there is another thing which
 ' lays your mind yet further open : For this
 ' business about your brother's wife is of less
 ' moment by far. Why so? Because altho' his
 ' wife, whose nakedness the law forbiddeth
 ' thee to uncover, was married in the face
 ' and view of the church, she came to thee a
 ' virgin : But I suppose thou wilt not say
 ' that thou didst leave a virgin, the sister of
 ' that woman whom thou now hast, &c. '

On account of this free language, *Henry*
 fought to have the Cardinal assassinated,
 and afterwards put his mother the Countess
 of *Salisbury* to death ; although he had desir-
 ed the Cardinal to tell him his mind freely
 upon this subject.

K. *Henry* caused his daughter *Mary* to ac-
 knowledge herself to be an incestuous bastard,
 and in the xxv. year of his reign an act of par-
 liament was made, settling the succession to
 the crown upon his younger daughter *Eliza-
 beth*, failing his male issue : To the strict ob-
 servation of which settlement, he got his parlia-
 ment the next year to take an oath. Yet surely,
 if his first marriage was incestuous, so was
 the second ; but if his eldest daughter was
 legitimate,

legitimate, the second was begotten in adultery. *Henry* soon after having set his affections on another woman, puts *Anne Bolen* to death, and the very next day marries *Mistress Jane Seymour*: And then both his daughters are declared illegitimate by another act of parliament, in the xxviii. year of his reign. But after that he got an act of parliament declaring it lawful for both of them to succeed after other, according to their seniority, and authorising him to limit the succession after them by his patent, or by his latter will, as should please him. And his good pleasure was to exclude the posterity of his eldest sister, Grandmother to *Queen MARY of Scotland*.

Kings have frequently taken the assistance of their parliaments, or councils, to oppress some of their subjects, and deprive them of their rights; and subjects are often obliged to sit down quietly under such oppression: But independent Sovereigns are on another footing; for one of them, though supported by all his subjects, is not to pretend to deprive his equal of his just right and title, unless he designs to entail a war and other hardships upon his people: For princes will not tamely allow themselves to be so cut out, for the mere humour and caprice of an unreasonable tyrant, or any unjust acts of inconsistent parliaments.

liaments. And had K. *Henry II.* of *France* lived any time longer, or even his son King *Francis II.* they could not have failed to vindicate the right of the Queen of *Scots* to the crown of *England*, against all such spurious issue as *Elizabeth* the daughter of *Henry VIII.* But they happening to die so soon after one another, *France* became less interested in that matter, and perhaps were not overfond of seeing the *British* kingdoms fairly united under one lawful Sovereign, lest they might happen to create as great disturbance to *France* as the *English* had formerly done, while their kings held ample possessions in that kingdom, not so much by their own force or valour, as by raising intestine war and commotions, and by assisting one half of the natives to destroy the other.

The troubled state of *Scotland* was another bar against Queen *MARY's* obtaining or pursuing her right to the throne of *England*. Our countrymen who had declared for the reformation, were all joined in a confederacy with her rival Queen *Elizabeth*; which greatly distracted her counsels when she returned out of *France*. It is not to be doubted but that her inclination was to have had for her council and officers of state, men chiefly of her own religion: But then the reformers, conscious of their own demerits and danger,

danger, would never have been quiet. And although these who would have stood up for the Queen or the *Roman Catholick* religion, might have been an over-match for the others, yet they could not have stood against the *English* too, who would have been very ready to join in extirpating them all, and dethroning the Queen herself. She therefore proposed to gain the others by kindness and favours; allowed them the full exercise of their religion, as she found it set up among them, however illegally and turbulently; gave them an ample indemnity; and admitted the chiefs of them into the administration of her affairs, and upon her council: And the Prior of *St. Andrews* became her prime minister; and by that means had a great opportunity of pursuing his project of usurping the crown. He precluded her other subjects from all access to her majesty, except through him only; and he had not born rule above a year, till he had laid plots for cutting off the principal men in the kingdom, who, he thought, might thwart him in his views; some of whom he got put to death, and others shut up in prison: He also joined in alliance against the Queen's allies abroad, and levied soldiers whom he sent to join with their enemies against them, without the Queen's knowledge; a

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thing which none of our historians have taken notice of except *Lindsay of Pitscottie*, who writes, that in the year MDLXII. five hundred light horsemen went out of *Scotland* to *France*, for support of the congregation, the Queen not knowing thereof. That it was so, is now made plain by the original papers published by Dr. *Forbes* ^a. The *French* Protestants had that year put the *English* in possession of *Dieppe, Havre de Grace*, and other adjacent villages and forts upon the coast of *France*: On which account the *English* were to set up Protestantism in *France*. But matters did not succeed according to their wishes or expectations: For the Duke of *Guise*, uncle to Queen *MARY*, called the *Mars of France*, having chiefly by his own single personal valour ^b, recovered the battle of *Dreux*, after the constable of *France* had in a manner lost it, the rebels had no kind of success after that, and the *English* were either driven out, or obliged to quit all these places, and the *Scots* were almost all cut off in defending them. Some few of them had been apprehended and hanged by the constable of *France*, with papers on their heads, declaring that this was done, because they had come against their Sovereign's will, to the service of the Huguenots. It was at first given out that these

were

^a Vol. 2. p. 49, &c. ^b Ibid. p. 245. 252.

were *Englishmen*, about which the *English* raised a great deal of clamour : But after it came to be known that they were *Scotsmen*, there was no more ado about the matter.

All the advantage that the confederates reaped by this war was, that, during it, they prevailed with one *Poltrot*, one of the Duke of *Guise's* Gentlemen, to assassinate his master the Duke, whom the reformers dreaded more than any other man in the world. The felon's heart failed him, after he had engaged to execute this horrid undertaking ; but *Theodore de Beze*, who acted as the second protestant Pope, encouraged him to proceed, using words in *French* to this purpose : *Go to, Sir ; take courage ; the angels will assist you.*

Two of our contemporary historians, *Buchanan* and *Knox*, behave very strangely with respect to this great man and his murderer.

Buchanan even commends *Poltrot* for this very action ; and having long before written a poem, in which he most deservedly praised the Duke, for his famous defence of *Metz* against the Emperor, he afterwards struck out the Duke's name, and inserted another man's to whom that praise did not belong : Yet is the Duke highly extolled by him in another of his poems, written upon his taking of *Calais* from the *English*, and justly too ; for he

was called the protector of his country by the parliament of *Paris*. *Knox* tells the story in these words, *God had stricken that bloody tyrant the Duke of Guise, &c.* of which expressions and behaviour, I leave every man to judge for himself.

While the Earl of *Murray* was thus treasonably assisting the *French* rebels, without his Sovereign's knowledge, he was also pursuing high matters at home, even to cut off the Duke of *Chastelherault's* family and the Earl of *Huntly's*, with the Earl of *Bothwell*. This last Earl, tho' perhaps the most stanch Protestant among them all, upon christian or moral principles, was extremely hated by the rest, because he not only would not join in that rebellion by which they first set up their reformation, but also opposed them; and being informed by the Queen dowager, that money was to be sent from *England* for supporting that rebellion, he having good opportunity, by being Lieutenant of the marches of *Scotland*, seized it, and wounded *Cockburn* of *Ormiston*, one of the conductors of it. For which reason the congregationers rifled his houses, carried off his charter-chest, and bore him deadly hatred ever after. The Earl of *Arran*, who as hath been said already, had been seized with a frenzy, kept a perpetual grudge at him on this account. The Queen
and

and council had endeavoured in vain to make up this difference : But at last it was done in all appearance by means of the Earl of *Murray*, then only Earl of *Mar*, and *John Knox*. The latter brought about the reconciliation betwixt *Arran* and *Bothwell*, and then *Arran* and *Murray* were made umpires in the quarrel betwixt *Bothwell* and the laird of *Ormiston*. *Blessed are the peace-makers*. But the Earl of *Bothwell* had no great cause to be thankful on this occasion; because thereby his life and fortune were endangered; for within four days after this reconciliation, they prevailed with *Arran* to accuse him and *Gavin Hamilton* Abbot of *Kilwinning*, his own kinsman, as having conspired to take the Queen and to put her in *Arran's* own hands, in the castle of *Dumbarton*; and to slay the Earl of *Murray* and Secretary *Lethington*, and others who then were of the ministry : of all which he acquainted the Queen herself by a letter, and brought in even his own father the Duke as accessory to these designs. The Duke confined him to his chamber : whence he wrote to the Earl of *Murray* in cyphers, a detail of his grievances, and that he was in fear of his life, unless he should be suddenly rescued; which was a very direct way to bring about the destruction of his father, and his whole family. Soon thereafter he made

made his escape from his confinement ; and the Earl of *Murray*, glad of an opportunity that might be improved to cut off the next heirs to the crown, convoyed him to the Queen then at *Falkland*, where he again repeated all his stories ; upon which the Duke had the castle of *Dumbarton* taken from him, and the Earl of *Bothwell* and Abbot of *Kilwinning* were committed to prison ; and although there appeared about *Arran* at that time plain evidences of a distempered brain (for he talked of wonderous signs that he saw in the heavens ; imagined that he was bewitched, and would needs get into the Queen's bed, alledging that he was married to her) yet neither could the Earl nor the Abbot get themselves set at liberty, till the former made his escape privily. *Arran* being further examined about these things, stood to his accusation of the Earl of *Bothwell*, but began to deny that his own relations knew any thing of the matter, or intended any violence against him ; alledging that he had been enchanted to speak and write the contrary formerly.

The *Gordons* were another potent tribe, whose ruin was projected at this juncture : And this was the occasion laid hold of for that purpose. *Alexander Lord Ogilvie* had taken to wife, at his second marriage, one of the Earl of *Huntlie's* sisters, and for her

her dowry had infest her in a large portion of his lands in liferent. After his death, it seems, she exchanged that liferent with her brother the Earl, for some other considerations; and he seems to have given it to his son Sir *John Gordon*, who had married his own cousin, the Lord *Ogilvie's* daughter, who seems to have been provided in some share of her father's lands for her portion; for she is called lady *Findlater* in publick deeds. *James Lord Ogilvie* son of *Alexander*, wanted to succeed to the whole, but the law allowed him not: Therefore he picks a quarrel with Sir *John*, and, together with his own servants, attacks him and his servants on the street of *Edinburgh*, upon the 27th of *June 1562*. Some of *John Gordon's* servants were hurt, but the aggressor ^a was dangerously wounded. Both were committed to prison; but Sir *John* finding himself hardly used already, and likely to be still worse treated, made his escape out of the prison of *Edinburgh*. Being afterwards cited to appear before the Queen and her council, he came and submitted himself before her in the tolbooth of *Aberdeen*, entering himself prisoner, to remain there, or to go

^a In the charge against Sir *John* for entering himself prisoner in the castle of *Stirling*, it is said to have been for the cruel setting on the Lord *Ogilvie*, although he set upon him only in his own defence.

go to any other prison, as it should please her Majesty. The Queen ordered him to go and remain prisoner in the provost of *Aberdeen's* lodgings, till she should declare her further pleasure in that matter : Which he did. They had prevailed upon the Queen to raise some forces, and to go to the northern parts of the country in the end of *August*, having first modelled and framed her council to their minds, so as only four, with her secretary, and three or four officers of state should attend at once, for two months, and after them other four for the next two months, and so on. The four who attended her to the North, were the Earls of *Argile*, *Marisbal*, *Mar*, afterwards *Murray*, and *Morton*. When the Queen came to *Aberdeen*, *Huntly* and his lady came, with a good train, to wait upon her Majesty, and were graciously received. When she came to *Inverness*, the governor of the castle for the Earl of *Huntly*, was all of a sudden required to surrender it, who having demurred some short time, surrendered it indeed, and was forthwith hanged. His name was *Gordon*. *John Knox* tells us, that Sir *John Gordon* had commanded this captain to hold out the castle, and had promised him relief. But that could not well be, for this was upon the third of *September*, and Sir *John* had only been charged upon the

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the first of that month to quit his prison in the provost of *Aberdeen's* house, and enter himself prisoner in the castle of *Stirling*, within seven days, under the pain of treason: Which charge he did not obey. Therefore, upon the 10th of that month, there is an act of these counsellors, finding that he had incurred the pains of treason; and commanding him and his wife and others, to deliver his houses of *Findlater* and *Auchindown* to the Queen's officers, who was to give the charge within xxiv. hours under the pain of treason and forfeiture. And some soldiers were sent to lie about his house of *Findlater*, who staid in *Cullen*, and were by him surprised, and their captain made prisoner, and the rest disarmed or slain.

This was an outrage to which it would seem, he was prompted by the worthy privy council, who that very day enacted, that if the Earl of *Huntly*, his father, and his friends, should not appear within a very short space, (even next day if we may trust the printed copy of the act ^a, I have not access to the original at present) he and they should be denounced rebels, and that he should be divested of all places of strength. We find by the acts of their council, that a considerable number of gentlemen of his surname did make
f f their

their appearance before the Queen upon the xxvi. day of that month of *October*, and found surety under very high penalties, to enter their persons in prison, wherever they should be commanded, without any kind of reason given or alledged against them.

It would seem that the Earl himself was upon his way to do the like : But the godly Prior of *St. Andrews*, who had got himself sometime before made Earl of *Mar*, and during this very expedition, had exchanged that Earldom for the Earldom of *Murray*, to which *Huntly* had a sort of claim, was loth to allow that *Huntly* should ever be received into favour again. He and his associates had, in the Queen's name, raised the inhabitants of the shires of *Stirling*, *Fife*, *Angus*, *Mearns*, and *Strathern*, and the Queen had before that time a good number of men of the more northern counties about her. Over all these *Murray* got himself made the Queen's Lieutenant, with a commission to pursue *Huntly* and his children and friends with fire and sword. *Huntly* was coming forward, as *Murray's* admirers say (for this is a very dark piece of history) with three hundred men. It is to be remarked, that according to the custom of that time, a man of his station and power, never went upon any considerable errand, without a grand retinue :
But

But *Murray* lay in his way at *Corricbie*, with more thousands than he had hundreds. 'Tis said there ensued a battle or engagement; but it doth not appear that any one of *Huntly's* attendants ever drew a sword: Their historians affirm, that not one of his opponents was slain. He had his choice of very brave men; and to say that he came with even three hundred of them, and did not so much as kill or hurt any of his opponents, is plainly to say, that he intended not to fight. But whether his surrender was voluntary or not, is all one, for he was immediately smothered, and then it was given out that he had died suddenly in their custody. They kept his corps unburied all that winter, and then forfeited him and all his posterity, in the month of *May*: And that they might cut off all the tribe of his surname, they forged treasonable letters in the Earl of *Sutherland's* name, pretending that they found them in the dead man's pocket; upon which they forfeited him together with *Huntly*, and all the gentlemen of note of that clan. Sir *John Gordon* was immediately beheaded, or rather butchered by an unskilful executioner. *Adam*, one of his younger brothers, although under age, was destined to undergo the same fate; but the Queen would by no means consent to the execution. *George, Huntly's*

eldest son, was with the Duke of *Chastelberault*, his father in law, and was obliged to enter himself prisoner in the castle of *Edinburgh*, and afterwards in the castle of *Dunbar*. He also was forfeited, without receiving so much as a citation, or copy of his inditement, nay, they refused to read his inditement in his hearing ^a, before the choosing of the jury. In it he was accused of treason committed against the Queen's person and the whole nobility that were with her at *Inverness* : Yet did some of these very persons compose a part of his jury, and the rest were of their relations. After he was committed to prison in *Dunbar* castle, they either forged, or surreptitiously obtained a warrant to be signed by the Queen, directed to the governor of the castle, for putting the Lord *Gordon* to death. But the governor suspecting some fraud, came in person to see the Queen, and pretended that he had executed her commands. The Queen denied that ever she had given such orders : So he produced the warrant, which gave her great uneasiness ; but he soon relieved her, by acquainting her that he had not yet obeyed the cruel order ; and the Queen discharged him from doing so upon any terms, whatever orders he might receive, if it was not from her own mouth.

^a Act of reduction in the records of parliament, 1567.

C H A P. V.

The Earl of Murray's more open Attempts to seize the Crown.

AFTER *Murray* had thus got the *Hamiltons*, the *Gordons*, and the Earl of *Bothwell* either cut off, imprisoned, banished, or brought under, he began to discover his views more openly. He became excessively fond of the name of *Stewart*; he recounted the laudable acts of that family, and how well the kingdom had been governed under them; and it was great grief to him, that the crown was likely to devolve upon another family: And for preventing that, he proposed to the Queen to have the crown entailed upon some persons of her own surname, and that he himself should be the first person in the entail. The Queen would not hearken to the proposal of defrauding the true heirs; But took the opportunity from this ambitious view of *Murray's* to call home the Earl of *Lenox*, with whose son she had some thoughts of marrying, and that by advice of her uncle the Cardinal of *Lorrain*, who considered that the *English* might perhaps set up that young man, in opposition to her in the right of succession to the

the throne of *England*. *Murray* also went the more readily into the proposal of restoring *Lenox*, because he knew that he would be a keen enemy to the *Hamiltons*, whom they both hated mortally.

The *English* court had also their particular sinister views with regard to the Earl of *Lenox*. In general they hoped, that by this means some disturbance and commotions would be raised in *Scotland* : And in particular they expected to have got the lady *Margaret Douglas*, his wife, declared a bastard, that so they might debar her and her posterity from any claim to the crown of *England* *. It seems that the *Douglases* had given them hopes that they would bring that matter about, in order to deprive her of the earldom of *Angus*. But Queen *MARY* prevented their designs ; she restored the Earl of *Lenox* to his own Earldom, and got his lady to yield her right to the Earldom of *Angus* to the heir-male.

In the month of *February* 1565, *Henry Lord Darnly*, *Lenox's* son, came to *Scotland*, and was well received by the Queen, which raised envy against him immediately ^b. This envy increased more and more, after it became known that her Majesty had a mind to marry him,

* See Hayne's state papers, p. 380. Bp. Keith's hist. p. 268. ^b Ibid. p. 269, 272, 273, &c.

him, in so much that there were designs soon formed to cut him off, as may be seen in the letters of *Thomas Randolph* the *English* resident in *Scotland* at that time, in one of which, bearing date the 2d day of *July 1565*^a, he says, ‘What shall become of him (*Darnly*) I know not; but it is greatly to be feared that he can have no long life among this people.’ In another of the 21st of that month, *Randolph* writes, that upon an indiscreet answer which *Darnly* had given him, he had told *Darnly* expressly, ‘that he hoped to see the wreck and overthrow of as many as were of the same mind with him,’ which was pretty plain language. *Randolph* did cabal with the malecontents, was made privy to their designs, and promoted and encouraged them, being authorised so to do.

The Queen held a great convention of her estates at *Stirling*, upon the xiv. day of *May*, in which they gave their consent to the marriage. *George Buchanan* writes that the Earl of *Murray*, perceiving that there would be no freedom of voting at that meeting, chose rather to be absent, than to give an opinion which perhaps might prove fatal to himself, and unprofitable to the publick. And that *Andrew Stewart* Lord *Ochiltree* alone de

declared openly, that he would never give his consent to the taking a King of the popish party. But the privy council book shews that *Murray* was actually present, and *Ochiltree* was not present that day.

The parliament was appointed to meet at *Edinburgh*, upon the xx. day of *July*, and a convention to be holden at *Perth*, upon the 10th day of *June*, for preparing matters to be transacted in that parliament. But the meeting of the parliament was prorogued to the first of *September*; and it did not hold at all, because matters did soon take a new turn. For the Earls of *Murray*, *Argyle* and others entered into a conspiracy in the town of *Perth*, to slay the Lord *Darnly*, together with his father, and divers others who were about the Queen at that time, and to have shut herself up prisoner in *Lochlevin* all the days of her life, and *Murray* to take the government upon himself.

These grand projects were to have been put in execution upon *Sunday* the first of *July*. The Queen being at *Perth* had promised to the Lord *Livingston* to stand Godmother to his child, who was to be baptized that day at his house of *Calendar*: But the day before, she was advertised that there were ambushes laid in the way for intercepting her; for which purpose *Murray* was stationed at
Loch-

Lochlevin, Argyle at Castle-Campbell, and the Duke of Chastelherault at Kinneil. The Queen therefore caused the Earl of *Athol* and the Lord *Ruthven*, to assemble suddenly about three hundred men, to accompany her, and taking her journey at five o'clock in the morning, she rode full speed to the *Queensferry*, and thus frustrated their designs at that time, which nevertheless they continued to pursue in another manner.

This conspiracy is no dubious matter ; it is acknowledged and attested by most of the nobility and clergy of *Scotland*, and among them, by three, who were either of the number of the primary conspirators, or joined with them, to wit, the Earl of *Argyle* himself, the Earl of *Rothes*, and Lord *Boyd*, as has been said already ^a ; they add, that many who were in counsel with *Murray*, and drawn in ignorantly, could then testify it ^b ; but to pretend ignorance as an excuse for themselves in an affair of this nature, is a very lame apology ; yet was it impossible to alledge a better.

The *English* resident *Randolph*, who acted in concert with the conspirators, writes upon the fourth day of *July*, ‘ that the Duke and ‘ the Earls of *Argyle* and *Murray* had made
g g a band

^a Above, p. 66. ^b Append. p. 358, 359.

‘ a band to defend each other, and to assist
 ‘ each other in lawful causes.’ Such bands
 are seldom made but for unlawful causes;
 and that it was not otherwise in this case, *Ran-*
dolph knew well, although perhaps he did
 not, at that time, know the whole articles of
 their band ; for he had acquainted *Cecil*, up-
 on the second of *July* ^a, of a conference that
 he had with *Murray* some time before, by
 which it is plain, that they had engaged to
 rise in open rebellion. ‘ With my Lord of
 ‘ *Murray*, says he, I have lately spoken. He
 ‘ is grieved to see these extreme follies in his
 ‘ Sovereign ! He lamenteth the state of this
 ‘ country, that tendeth to utter ruin ! He
 ‘ feareth that the nobility shall be forced to
 ‘ assemble themselves together, to do her ho-
 ‘ nour and reverence, as they are in duty
 ‘ bound, but at the same time, to provide
 ‘ for the state, that it do not utterly pe-
 ‘ rish ; the whole country being now broken,
 ‘ and every man living in such discontent-
 ‘ ment, as they do. The Duke, the Earl of
 ‘ *Argyle* and he concur in this device : Ma-
 ‘ ny others are like to join them in the same.
 ‘ What will ensue let wise men judge : I can
 ‘ think but little good to those that are the
 ‘ chief occasion of these great alterations that
 ‘ lately

^a Cotton, Libr. Cal. B. 10. fol. 299.

‘ lately are come amongst us, &c.’ Towards the End of this same letter, he tells that he was asked the question, ‘ Whether the *English* would receive *Lenox* and *Darnly*, if they should be delivered to them at *Berwick* ? And that his answer was, That they neither could nor would refuse their own in what sort soever they came to them.’ Which was but coldly answered. It would seem that *Randolph*’s choice was to have them delivered dead, rather than alive ; for he knew that their death, at least the young man’s, was projected a month before this ; for upon the third of *June* he expresses himself in these words : ‘ *David* now worketh all, and is the only governor to the King. The hatred towards the King and his family is very great ; his pride in words intolerable. People have small joy in this their new master, and find nothing but that God, must find him a short end, or them a miserable life. The dangers of these he now hateth are great : But they find some support, that what he intendeth to others, may light upon himself. ’

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In

* Ibid. p. 298. I find some variations betwixt this copy, and one published by Bp. Keith, hist. p. 282. I cannot affirm for a certainty which of them is most correct ; but I have given mine precisely as I got it, as, no doubt, he did also.

In another of his letters he informed *Cecil, Q. Elizabeth's* secretary, that these confederates had appointed divers of their number to set upon *Darnly* after his marriage, who were either to kill him, or die themselves; and that if *Q. Elizabeth* would assist them, they made no doubt but that they should be able to chase their own Sovereign Queen into *England*. Bp. *Keith* hath already published an abstract of this letter, and there is another abstract of it in the Cottonian library *, in these words, as it was transmitted to me :

‘ September 3. The Lords were forced from
 ‘ *Edinburgh*. From *Hamilton*, they are gone
 ‘ to *Drumlanrig*, whose Lord taketh part
 ‘ with them : From thence either to *Drum-*
 ‘ *fries* or *Carlisle*. The Queen suspects *Mor-*
 ‘ *ton* ; yet hath he not wit to leave her. She
 ‘ weareth a pistol charged, when in the field ;
 ‘ and of all her troops, her husband only
 ‘ has gilt armour. Divers of the other side
 ‘ are appointed to set upon the Queen’s hus-
 ‘ band, and either kill him, or die themselves.
 ‘ They expect relief of more money from
 ‘ *England* : Much promised, but little re-
 ‘ ceived as yet. If her Majesty will now help
 ‘ them, they doubt not but one country will
 ‘ receive both the Queens.’

Thus

Thus it is as clear as needs be, that the murder of the King, the imprisoning the Queen in *Lochleven*, the chasing her into *England*, and *Murray's* taking the government upon him, were matters all devised, agreed on, and communicated to the *English* Queen and her ministers, about eighteen months or upwards, before any of them took effect: And they failed not at last to accomplish every article of them.

Richard Bannatyne, one who had been amanuensis to *John Knox*, and was appointed by the General Assembly of the kirk, in *March* 1573, to draw up in order the papers and scrolls that *Knox* had left behind him, for the continuation of his history, narrates, in that continuation, a story about *Knox's* having joined in the band, or covenant, that was entered into for murdering *Darnly*.

‘ *Mr. Robert Hamilton*, says he, minister of
 ‘ *St. Andrews*, had spread abroad, and told
 ‘ to sundries, that *Mr. Knox* was as great a
 ‘ murderer as any *Hamilton* in *Scotland*; if
 ‘ all things were well tried; and therefore
 ‘ should not cry out so fast against murder-
 ‘ ers: For, said *Mr. Robert*, he had subscrib-
 ‘ ed to the death or slaughter of the Queen’s
 ‘ husband, the Lord *Darnly*, with my Lord of
 ‘ *Murray*; which should have been done in
 ‘ *St. Johnston*. These words *Mr. James Ha-*
milton

‘ *milton* declared to me, being Mr. *Knox*’s ser-
 ‘ vant ; and also said, that the said Mr. *Ro-*
 ‘ *bert* had divers times spoken the same unto
 ‘ him, and to one called Mr. *John Carnegie*,
 ‘ another Regent at that time in the new
 ‘ College of *St. Andrews*. Which words,
 ‘ when I heard, I said, I could not of any
 ‘ honour conceal the same, but would avow
 ‘ him to be the speaker thereof to me ; and
 ‘ willed him not to go back therewith.

‘ After that I had declared the words to
 ‘ my master, he wrote to Mr. *Robert* in this
 ‘ manner, being evil at ease for the time.

*There is nothing so secret but it shall be re-
vealed.*

‘ BECAUSE the inability of my body is such,
 ‘ I may not do the thing which otherwise I
 ‘ gladly would, I write unto you, not without
 ‘ pain, these few words, desiring to be resol-
 ‘ ved, whether that ye have affirmed to one
 ‘ or moe, that ye have seen my subscription
 ‘ and consent to the murder of Lord *Darnly*.
 ‘ Of your own conscience and knowledge ye
 ‘ yourself can best testify. I crave your
 ‘ answer *affirmative* or *negative*.

Subscribed JHONE KNOX.

‘ Which

‘ Which I delivered the xv. of *November*,
 ‘ in *anno* 1571, and required his answer. But
 ‘ his shifting words, spoken to me, might
 ‘ have made any man sufficiently believe,
 ‘ that he had spoken the same. But af-
 ‘ ter long talk, he willed me to give this an-
 ‘ swer, That he needed not to have written
 ‘ unto him ; for if he would have sent the
 ‘ the least boy to his house, he should have
 ‘ come to him, to satisfy him : which words
 ‘ I reported again. ’

‘ Thereafter my master shewed the matter
 ‘ to the Rector Mr. *John Douglas*, now made
 ‘ bishop, and to Mr. *John Rutherford*, desir-
 ‘ ing them to speak to Mr. *Robert* to satisfy
 ‘ this slander, or else to abide by it, or if he
 ‘ would not, that he would complain to the
 ‘ kirk. Thereafter came said Mr. *Robert*,
 ‘ and talked with my master. What it was, I
 ‘ know not ; but when I came in upon them,
 ‘ my master willed me to shew him that I
 ‘ told him it ; which I confessed, and shewed
 ‘ who spake the same to me : Which when I
 ‘ heard, I said, I could not, neither of hone-
 ‘ sty, nor honour, conceal the same ; adding
 ‘ further, that if I knew my master to be such
 ‘ a man, I would not serve him for all the
 ‘ gear in *St. Andrews*. ’

‘ Then the trial of the matter was referred
 ‘ to me *Richard Bannantyne*, by command of
 my

‘ my master ; whereof I thought Mr. *Robert*
 ‘ *bert* had little will, or none at all. After
 ‘ finding opportunity, I confronted the said
 ‘ Mr. *James* and Mr. *Robert* together * * *
 ‘ which he denied : But the other affirmed in
 ‘ his face to be most true, that he had so
 ‘ spoken, not only unto him, but also unto
 ‘ Mr. *John Carnegie*, to bring Mr. *Knox* in
 ‘ hatred and disdain. Mr. *Robert* said he should
 ‘ cause the other repent his speaking, and
 ‘ that he should have him before the kirk,
 ‘ to make the amends. Then I said, if ye be
 ‘ innocent, and have not spoken it, ye will do
 ‘ so : but if that be not done, it may easily be
 ‘ known that ye have spoken the same. But
 ‘ there was no more of it, excepting that he
 ‘ said he should cause Mr. *James* repent it ;
 ‘ which he and the rest of the *Hamiltons* did
 ‘ what they could, till at length he was com-
 ‘ pelled to leave the College. Others mock-
 ‘ ed him, calling him *Knox’s bird*, with such
 ‘ other taunts. God grant them repenting
 ‘ hearts, to acknowledge their despite which
 ‘ they have against that poor man, because
 ‘ he had a favour to Mr. *Knox*.’

From this simple narrative, it is to be ob-
 served, that altho’ in our days, this horrid
 conspiracy, which was formed while the
 Queen was at *Perth*, is little known, it has
 been pretty well known formerly. None of
 the

the parties concerned in this rencounter, do either deny, or call in question that there was such a conspiracy at that time, into which the Earl of *Murray* and his associates entered, and that by subscription too: On the contrary, they all talk of it, as a known uncontroverted matter of fact. And *Knox's* waving all prosecution, and hushing up the business, by referring the care and enquiry about it to this silly fellow his servant, is more than a tacit acknowledgment that he was on that plot, and a subscriber. It was not to be expected that *Knox* would willingly incur the pains of high treason, by acknowledging a thing of this nature. No! even *Hamilton* durst not avow publickly that he saw the deed, with the subscriptions, for to have seen it, and concealed it, was treason too: But no man who is tolerably acquainted with *Knox's* temper, writings and actions, will believe that he would have dropt the matter so, had he been innocent.

C H A P. VII.

The Behaviour of the Conspirators upon their Disappointment at the Kirk of Baith.

THE Queen and Lord *Darnly* having escaped the ambuscade which was laid for them at the kirk of *Baith* ^a, upon the first Day of *July*, and the plot taken air; the conspirators, to put some face upon the matter, began to turn the cannon, and to proclaim that *Darnly*, in the back gallery of the Queen's lodging in *Perth*, had devised to murder *Murray*: And this was confidently affirmed by the Earl of *Argyle*, and by *Murray* himself. Had it even been so, little would it have justified them, who had entred into a combination against him and the Queen too, near three months before he came to *Perth* ^b. But as it was most false, and very slanderous upon *Darnly*, and even prejudicial to the Queen herself; Mr. *John Hay* her Majesty's master of requests, and Mr. *Robert Crichton* her advocate, were sent by the privy council to these two Earls, upon the xvii. day

^a Append. p. 358. Bp. Keith's hist. p. 291.

^b Letter from Randolph, *ibid.* p. 272.

day of *July*, ‘ to command and charge them,
 ‘ in the Queen’s name, upon their allegiance,
 ‘ and as they would declare themselves faith-
 ‘ ful subjects and noblemen, to declare, plain-
 ‘ ly, and uprightly, the words and bruit made
 ‘ to them of said alledged conspiracy; the
 ‘ form and manner of it, and the name of
 ‘ the reporter: And that they should put
 ‘ their declaration in writing, and subscribe it
 ‘ with their hands, and send it by the master
 ‘ of requests and advocate to her Majesty:
 ‘ Certifying them, that if they should delay,
 ‘ or in any way conceal the simple truth of
 ‘ the matter, to the effect that it might
 ‘ be brought to a clear trial, that her Maje-
 ‘ sty would think no otherways of them, but
 ‘ that they themselves had feigned and in-
 ‘ vented that bruit and tale, out of their own
 ‘ heads.’

But this could not be done. *Murray* affirm-
 ed, ‘ that he was content to come to her Ma-
 ‘ jesty for declaration of the truth of the report,
 ‘ made to him, as to the alledged conspiracy
 ‘ of his slaughter in *St. Johnston*, provided he
 ‘ might be assured of his life:’ Than which
 there could be no greater juggling or trifling.
 For, if he had any suspicion that his life was in
 danger if he should come to the Queen, why
 should he offer to come? He had only been
 required to send a true account of the report

of the device to murder him, the form and manner of it, and the reporter's name ; in which surely there could be no kind of danger. And who can doubt but that he would have done this, if he could, or if there had been the least grain of truth in the story ? However, to cut off this pretence also, the Queen and council, with a great convention of the nobility, upon the xix. day of *July*, sent him a very ample ‘ assurance for his life, ‘ and that he should be free from all bodily ‘ harm : That neither he, nor any of his ‘ company should be molested, or in any sort ‘ grieved, or troubled, in bodies or goods, ‘ in their coming and repairing towards ‘ her Majesty, remaining or departing, ‘ and while he and they should be returned ‘ to the same place from whence they came, ‘ in full liberty, at their pleasure *.’ Along with this assurance the Queen sent a charge by an officer of arms, that he should make his appearance before her within three days after he should receive it.

But this condescension availed nothing : *Murray* had nothing to say for himself : But he caused the Lord *Erskine* and Sir *John Maxwell* to acquaint the Queen, ‘ how ardent his desire ‘ was to declare the due obedience which he ‘ owed

* Acts of privy council, which may be seen printed in the appendix to Bp. Keith's hist. p. 106— 119.

owed to her Majesty; and for discharging
 of himself of such brutes as had been re-
 ported by him, with regard to the alledged
 conspiracy of his slaughter! Upon this a
 new assurance was sent to him, upon the 28th
 day of *July*, the day before her marriage
 with *Darnly*, which served to no manner of
 purpose; for *Murray's* plot was only to
 drive away time, till he and his associates
 should be in readiness to appear in arms a-
 gainst the Queen and her husband. They
 had already made application to Queen *Eli-
 zabeth* for money, to enable them to carry on
 their rebellion. On the fourth day of *July*,
 immediately after disappointment in their
 plot for slaying *Darnly* and seizing the Queen,
 they had made *Randolph* write to *Cecil*, ' that
 ' lest they should seem to desire any such sum,
 ' as the greatness thereof should seem a burden
 ' to her Majesty, and that way discourage her
 ' altogether from doing any thing at all; they
 ' thought, that if her majesty would bestow
 ' only three thousand pounds *Sterling*, for that
 ' year, (except some force were brought in
 ' against them) that they should be able very
 ' well to bring this realm in rest and quiet-
 ' ness; and the money to be bestowed *as they*
 ' *would answer to God*, as should be most
 ' apparent to the well of both the countries,
 ' and furtherance of these two principal cau-
 ' ses

‘ses [religion and amity with *England*] in
 ‘the defence of which they promise, AND
 ‘HAVE SWORN, to adventure their bodies,
 ‘and spend their goods, to the uttermost of
 ‘their powers.’

Q. *Elizabeth* animated them by a letter
 the 10th of that month, ‘that so long as they
 ‘intended nothing but the maintenance of
 ‘true religion, to the honour of God, and
 ‘consequently uphold their Sovereign’s estate,
 ‘and did also nourish the amity between
 ‘the two realms, she should allow them,
 ‘and so esteem of them, as in all just and ho-
 ‘nourable causes they should find her to re-
 ‘gard their state and continuance.— De-
 siring *Randolph* to assure them, “that they
 “doing their duty, if by malice, or practice,
 “they should be forced to any inconveniency,
 “they should not find lack in her, to regard
 “them in their truth!

Encouraged by these hints and promises,
 and having received money from *England*,
 the rebels, who had hitherto lurked in small
 parties, in different places, began to assemble
 themselves together, and then broke out in
 open and avowed rebellion. The Queen
 raised forces also; the Earl of *Bothwell* she
 called home, and the Lord *Gordon* she re-
 lieved out of prison, upon sureties given, in
 order to be restor’d to his father’s estate, and
 that

that she might have the assistance of these two against her most ungrateful and truly unnatural rebels and traitors. She marched out herself at the head of her army, about the 26th day of *August*, to pursue them. When she was come to *St. Andrews*, there came to her hands a very imperious letter from these rebels, of which no better account is to be had than from the proclamation made in the King and Queen's name, upon their receiving it: *viz.* ' That as in this uproar lately raised up
' against us, by certain of our rebels and their
' assistants, the authors thereof, to feel the eyes
' of the simple people, have given them to un-
' derstand, that the quarrel which they had in
' hand was only religion, thinking with that
' cloke, to cover their other ungodly designs ;
' and so, under pretence of that plausible ar-
' gument, to draw after them a large tail of
' ignorant persons, easily to be seduced :
' Now, for preservation of our good subjects,
' whose case were to be pitied, if they blind-
' ly should be suffered to be entrapped in so
' dangerous a snare, it hath pleased the goodness
' of God, by the utterance of their own mouths
' and writings to us, to discover the poison
' that before lay hid in their hearts ; albeit to
' all persons of clear judgment, the same was
' evident enough before. For what other
' thing might move the principal raisers of
this

' this tumult, to put themselves in arms a-
 ' gainst us, so unnaturally, upon whom we
 ' had bestowed so many benefits, but that the
 ' great honour we did unto them, they be-
 ' ing thereof most unworthy, made them to
 ' misknow themselves? And that their insati-
 ' able ambition could not be satisfied with
 ' heaping riches upon riches, and honour up-
 ' on honour, unless they might receive in
 ' their hands us, and our whole realm, to be
 ' led, used, and disposed, at their pleasure?
 ' But this could not the multitude have per-
 ' ceived, if God, for disclosing of their hypo-
 ' crisy, had not compelled them to utter
 ' their unreasonable desire to govern. For
 ' now, by letters sent from themselves to us,
 ' they make plain profession, *That the esta-*
 ' *blishing religion will not content them; but*
 ' *we must perforce be governed by such coun-*
 ' *cil as shall please them to appoint unto us:*
 ' A thing so far beyond all measure, that we
 ' think the only mention of so unreasonable
 ' a demand, is sufficient to make their near-
 ' est kinsfolk their most mortal enemies, and
 ' all men to run on them, without further
 ' scruple, that are zealous to have their na-
 ' tive country to remain still in the state of a
 ' kingdom.

' For what else is this, but to dissolve the
 ' whole policy, and, in a manner, to invert
 ' the

the very order of nature? to make the Prince obey, and the subjects to command! the like was never demanded of any of our most noble progenitors heretofore: Yea, not of Governors nor Regents, but the Princes, or such as occupied their place, ever choose their council of such as they thought most fit for the purpose.

When we ourselves were of less age, and at our first arrival in our realm, we had free choice of our council, at our pleasure: And now, when we are at our full majority, shall we brought back to the state of pupils and minors? or be put under tutelage?

So long as some of them bore the whole swing with us themselves, this matter was never called in question: But now, when they cannot be longer permitted to do, and undo, all things at their appetite, they will put a bridle in our mouths, and give us a council chosen after their fantasy.

This is the quarrel of RELIGION, which they made you believe they had in hand! This is the quarrel for which they would have you to hazard your lives, lands, and goods, in company of certain rebels, against your natural princes! To speak it in good language, *they would be KINGS*

‘ *themselves* ; or at the least, leaving to us the
 ‘ bare name and title, take to themselves the
 ‘ whole use and administration of the king-
 ‘ dom.

‘ We have thought good to make publi-
 ‘ cation hereof unto you, to the end ye suf-
 ‘ fer not yourselves to be deceived, under
 ‘ pretence of religion, to follow them, who,
 ‘ preferring their particular advancement to
 ‘ the publick tranquillity, and having no care
 ‘ of you, in respect of themselves, would, if
 ‘ ye will hearken to their voice, draw you af-
 ‘ ter them, to your utter destruction, Assur-
 ‘ ing you, that, as you have heretofore had
 ‘ good experience of our clemency, and un-
 ‘ der our wings enjoyed in peace the posses-
 ‘ sion of your own goods, and lived at liberty
 ‘ of your conscience ; so may ye be in full as-
 ‘ surance of the like hereafter, and have us
 ‘ always your good and loving Princes, so
 ‘ many as shall contain yourselves in due o-
 ‘ bedience, and do the office of faithful and
 ‘ natural subjects. Given under our signet,
 ‘ and subscribed with our hands, at *St. An-*
 ‘ *drews* the third ^a day of *September*, and
 ‘ of our reign the first and xxiii. years.

After

^a It is so written in the council book ; but it would seem that it ought to have been of the same date with the *federunt*, viz. the xii. of September.

After this the Queen returned by *Dundee*, taking sureties and bands from divers persons for keeping the peace; and being informed that the rebels had come to *Edinburgh*, she came thither also; but they had been forced from that city long before her coming, and had gone to *Lanerk* and *Hamilton*, and after that to *Dumfries*, to which place she pursued them, and chased them into *England*, about the 8th day of *October*.

C H A P. VIII.

By what means the Earl of Murray got Footing again in Scotland.

AFTER *Murray* and his associates were driven out and banished, perceiving that they had not sufficient strength to cope with the Queen, they had recourse to stratagem: And they and their favourers unhappily fell upon a method to disturb all her affairs, by means of one of whom it was not to have been expected, even by the weakness and rashness of her own husband.

The Queen had already done him all the honours that lay in her power. She restored his father to his Earldom, and had created himself

himself Earl of *Ross* and Duke of *Albany*.
 Yea, by the consent of a convention of the
 three estates, she had married him, and given
 him the title of King, ordaining, ‘ That all
 ‘ letters to be directed after the marriage, and
 ‘ during the continuance thereof, should be
 ‘ in his name and her name, as King and
 ‘ Queen of *Scotland* conjunctly. All ho-
 ‘ nour, says *Randolph*^a, that may be attri-
 ‘ buted unto any man by a wife, he hath
 ‘ it wholly and fully. All praise that
 ‘ may be spoken of him, he laketh not
 ‘ from herself. All dignities that she can
 ‘ endow him with, are already given and
 ‘ granted. No man pleaseth her that con-
 ‘ tenteth not him. And what may I say
 ‘ more ? She hath given over unto him her
 ‘ whole will, to be ruled and guided as him-
 ‘ self best liketh. She can as much prevail
 ‘ with him in any thing that is against his
 ‘ will, as your Lordship may with me, to
 ‘ persuade that I should hang my self. This
 ‘ last dignity, out of hand, to have him pro-
 ‘ claimed king, she would have had deferred
 ‘ until it were agreed by parliament, or till
 ‘ he himself had been twenty one years of
 ‘ age, that things done in his name might
 ‘ have the better authority. He would in no
 ‘ case

^a Letter from Randolph to Leicester, 31st July 1565.
 Cotton. Libr. Cal. B. 9. fol. 218.

case have it deferred one day ; and either now or never.'

This, by the bye, shews how uncautious the forgers of the pretended letters to *Bothwell* have been, for in them this King *Henry* is represented as the most humble and complaisant husband to his Queen that ever was in the world *. It ought to have been so indeed : But the direct contrary is certain, not only from this letter, but from many other documents, some of which shall appear immediately.

The Earl of *Murray*, and all his accomplices in the rebellion, being driven out of the kingdom, and most justly declared fugitives, the young King thought there could be no further danger ; and that there remained nothing now to be done, but that he should aggrandize himself as much as possibly could be done ; and therefore wanted to get the matrimonial crown, that is, to be crowned as king during the marriage, without delay. This was a thing that could not be done regularly, or effectually without consent of parliament, and on or before the first day of *December*, the parliament had been appointed to meet, upon the 4th day of *February* next to come MDLXVI. in which this matter was to have been treated, and the rebels, his enemies, who causelessly fought
his

his life, were to have been forfeited ; and this was a proper time. But that meeting of the parliament was prorogued till the 7th day of *April*, as is most usual in such cases ; for it is well known that parliaments seldom assemble upon the day first appointed ; but sometimes after two or three consecutive prorogations. This delay however raised the young King's choler to a very high degree. There were at court, and on the privy council, some traitors, who were in the interest of the banished rebels, and at the devotion of the Queen of *England* and her court ; more particularly *James Douglas* Earl of *Morton*, and *Patrick* Lord *Ruthven*. Of the same number were *Patrick* Lord *Lindsay*, a forward inconsiderate man, and divers others of less note. These men, especially the two first named, perceiving the King to stomach this disappointment, began to lament his bad usage. What pity it was that such a graceful hopeful prince, should be thus thwarted in his just designs ! And such a husband to be in a kind of subjection and dependency upon his wife, was against the order of nature ; for she in all things ought to be subservient and obedient to her husband's will and inclination. This could be owing to nothing but the sinister advices of her new evil counsellors ; such as the Earls of *Huntly*, *Bothwell* and *Arbole*,

Atbols, with the Lords *Fleming* and *Livingston*, Sir *James Balfour*, and *David Rizio* her secretary for her affairs in *France*. Unless these people be taken out of the way, there were small hopes that he would soon attain to that which he so much desired and deserved. But had he been so fortunate as to have had the Earls of *Murray*, *Argile*, and *Roths* on the council, a man of his desert had not been so slightly set by or put off. These were the men who had the welfare of their native country at heart! men truly religious! sincere lovers of justice and equity! and who paid always due regard to virtue and true merit! But the rest studied nothing, but their own preferment and private interests. A very lamentable case! But what remedy?

By these and the like false and treacherous assertions and insinuations, the King being blinded with ambition, was seduced. He began to listen to their proposals, and even his father *Lenox* entered into their measures. *Murray* in a state of perfect desperation, had used all the interest that could be thought of with every person that could be supposed to have the least influence to prevent his forfeiture, from the *English* Queen *Elizabeth*, down to *David Rizio*, Queen *MARY*'s secretary for her foreign affairs; but all in vain; till *Darnly*, whom of all men he most hated,

took

took up this frozen viper to warm it in his bosom, who, in all human probability, must otherwise have perished, or pined away in misery. By which means he procured himself to be murdered, his father to be slain, his mother to be poisoned ^a, and his matchless Queen to be murdered : Only his son, then unborn, narrowly escaped destruction : But the influence of this single act extended itself much further even to the murder of his grandson, and the dethroning and exiling his great grandchildren and posterity. The treasonable and wicked confederacy, or covenant, into which they entered upon this occasion, was as follows ^b :

Certain

^a Upon her being reconciled to Queen MARY, and perceiving how she had been grossly imposed upon by the English court in relation to Q. MARY's actions, she was poisoned by the Earl of Leicester, Q. Elizabeth's Minion.

^b Cotton. Libr. Cal. B. 9. fol. 298. & *alibi*. This copy is more full and complete than that in the same library. *Julius F.* 90. published by Bp. Keith, Append. p. 120.

Certain ARTICLES to be fulfilled by
JAMES Earl of Murray, ARCHIBALD Earl
of Argyle, ANDREW Earl of Rothes, RO-
BERT Lord Boyd, ANDREW Lord Ochil-
tree, and their Accomplices, to the noble and
mighty Prince HENRY King of Scot-
land, Husband to our sovereign Lady.
*Which articles the said persons do offer
with the greatest humility, lowliness and ser-
vice to the said noble Prince : For whom to
God they pray !*

IN PRIMIS, The said Earls, Lords, and
their Accomplices shall become, and, by the
tenor hereof, do become true subjects, men,
and faithful servants to the noble and mighty
Prince HENRY by the grace of GOD, King of
Scotland, and husband to our sovereign Lady;
that they, and all others who will do for
them, shall take a leel part in truth with the
said Prince, in all his affairs, causes and
quarrels AGAINST WHOMSOEVER IT BE,
to the uttermost of their powers ; and shall be
friends to his friends, and enemies to his
enemies ; and neither spare their lives, lands,
goods or possessions.

II. *Item*, The said Earls, Lords, and their
accomplices, shall, at the first Parliament, or
other

other parliaments that shall happen to be, after their returning within this realm, by themselves, and others, that have voice in parliament, consent, and by these presents do consent, now as then, and then as now, to grant and give the crown matrimonial to the said noble Prince, for all the days of his life. And if any person or persons, do withstand or gainsay the same, the said Earls, Lords, and their accomplices, shall take such part as the said noble Prince takes, in what sort soever it be, for obtaining of the said crown, *against all and whosoever that live or die may* ; as shall best please the said noble Prince.

III. *Item* The said Earls, Lords, and their accomplices, shall fortify and maintain the said noble Prince, in his just title to the crown of *Scotland*, failing of succession of our sovereign Lady ; and shall justify and set forward the same at their uttermost power. And *if any manner of person* will usurp, or gainsay the said just title, the said Earls, Lords, and their accomplices, shall maintain, defend, and set forward the same, as best shall please the the said noble Prince, without fear of life, or death : And shall seek and pursue them that usurp, as shall please the said noble Prince to command ; to *extirpate* them out of the realm of *Scotland*, or TAKE AND SLAY THEM.

IV. Item, As to the religion which was established by the Queen's Majesty, our sovereign Lady, shortly after her arrival in this realm, whereupon acts and proclamations were made, and now again granted by the said noble Prince to the said Earls, Lords, and their accomplices; they and every one of them, shall maintain and fortify the same, at their uttermost power, and by the help, support and maintenance of the said noble Prince. And if any person or persons will gainsay the same, or any part thereof, or begin to make any troubles, tumult or uproar for the same, the said Earls, Lords and their accomplices shall take a fald, true and plain part with the said noble Prince, against the said contemners, or usurpers, at their uttermost.

V. Item, As they are become true subjects, men, and servants to the said noble Prince, so shall they be leel and true to his Majesty, as it becometh true subjects to their own natural Prince; and, as true and faithful servants, serve their good master, with their bodies, goods, lands and possessions; and shall neither spare life nor death in setting forward all things that may be to the advancement and honour of their noble Prince.

VI. Item, The said Earls, Lords and their accomplices shall labour at the Queen of England's hands, for the relief of the said Prince's

Prince's mother and brother, by themselves, and such others as they may procure, to the uttermost of their powers, that they may be relieved out of ward, to remain in *England* freely, or to repair into *Scotland*, as they shall think most expedient, without let or impediment to herself, her son, their servants or moveables.

VII. *Item*, The said Earls, Lords, and their accomplices, shall labour by themselves, and others that will do for them, at the Queen of *England*'s hands, that the said noble Prince may have her kindness, goodwill and assistance in all his Majesty's honourable and just causes, against whatsoever foreign prince who shall molest or vex him.

Buchanan, Melvill and Spottiswood are very full in praise of *Murray*, for piety, moderation and other virtues: But this paper shews his true character. No man who had the least humanity about him, would have engaged to murder innocent people in cold blood, as he and his associates do here.

In return for all these mighty promises and undertakings, the young King came under the following obligations to these rebels:

Certain

Certain ARTICLES to be fulfilled by the noble and mighty Prince HENRY King of Scotland, husband to our sovereign Lady, of his Majesty's mere mercy, clemency and good-will, to JAMES Earl of Murray, ARCHIBALD Earl of Argyle, ALEXANDER Earl of Glencairn, ANDREW Earl of Rothes, ROBERT Lord Boyd, ANDREW Lord Stewart of Ochiltree, and certain others remaining in England.

I. FIRST, The said noble Prince shall do his good-will to obtain to them a remission, if they require the same, for all faults, or crimes, bypast, of whatever quality or condition they be : And if that cannot be obtained at the first time, he shall persevere in suing of the same, until it be obtained ; and at the last, shall give them a free remission for all crimes, so soon as we are placed, by their help and supply, to the crown matrimonial : And, in the mean time, shall stop and make impediment, so much as lieth in us, that they be not called nor accused for whatever crime : And presently freely remit and forgive the aforesaid Earls, Lords and their accomplices, all crimes committed against us, of whatsoever quality or condition they be ;

be; and do bury and put the same in oblivion, as they had never been; and shall receive them, at their returning, thankfully, and with heartiness, as others our true and faithful subjects.

II. *Item*, We shall not suffer, by our good wills, the aforesaid Earls, Lords, and their accomplices to be called, or accused in parliament, nor suffer any forfeiture to be led against them, but shall stop the same, to our uttermost power. And if any person or persons pretend otherwise, we shall neither consent to the holding of the parliament, nor yet shall grant to their forfeiture willingly, but shall lett^a the same to our uttermost power, as said is.

III. *Item*, That the said Earls, Lords, and their accomplices, returning within the realm of *Scotland*, we shall suffer and permit them to use and enjoy all their lands, tacks, steedings, benefices, that they, or any of them, had before their passing into *England*. And if any manner of person do make impediment in the peaceable enjoyment and brooking of the said lands, steedings, benefices, tacks, rooms and possessions, the same being made known unto us, we shall fortify and maintain them, to the uttermost of our powers, for the obtaining of the same.

IV.

^a i. e. stop.

IV. *Item,* As to the said Earls, Lords, and their accomplices religion, we are content and consent that they use the same, conform to the Queen's Majesty's articles and proclamation made thereupon, shortly after her highness's return out of *France*. And if any person or persons, pretend to make impediment thereto, or to trouble them for using the same, we shall take part with the aforesaid Earls, Lords, and their accomplices, at our uttermost powers; and after their returning, upon their good bearing and services to be done to the said noble Prince, shall, by their advice, consent to the establishing of the religion now professed; and shall concur with them, if any person do withstand them.

V. *Item,* We shall fortify and maintain the said Earls, Lords and their accomplices, as a natural Prince should do to his true and obedient subjects, and as a good master should fortify and maintain his true and natural servants, against whomsoever, in all their just causes and quarrels.

Thus undutifully did *Darnly* usurp to himself the whole power and authority, taking upon him to pardon these men, who had so unreasonably broke out into a rebellion, and had conspired to murder himself: And not only was he to pardon them, but he and they

they were to defend one another; against all who would gainsay them, not excepting the Queen herself, as she complains in her letters sent to the Archbishop of *Glasgow* 'her ambassadour in *France* ^a.

But had not the Queen given some provocation to her husband in several shapes, as by changing the order of their subscriptions; so that although immediately upon his marriage, she had appointed, that in all publick writings his name should be before her own; which had been done accordingly for some time; yet did not she afterwards invert the order, and put her own name first? Was not the same order inverted upon the coined money also? Did she not cause make an iron eachet, or stamp, for the King's subscription, and give the keeping of it to *David Rizio*? Do not our historians narrate all these things? And hath not *James Anderson* verified their assertions, by engraving the medal that was struck on occasion of *Darnly's* marriage with the Queen ^b, on which his name hath place before the Queen's name, but on all their other coins her name stands foremost? He saw also, in the Earl of *Pembroke's* library, one copy of the acts of the parliaments of *Scotland*, published in the year 1566, with a privilege from

Henry

^a Bp. Keith's hist. p. 331.

^b Diplom. & Numism. Scotiæ, lam. clxiv. 18.

Henry and Mary, King and Queen of Scotland, for printing them; and in another copy is a privilege by her alone; both of the same date, viz. the first of June 1566. Upon which he makes this shrewd observation ^a,
 • That the edition of these acts was finished
 • the 28th day of November thereafter, being
 • about ten weeks before King Henry's murder.' From which his co-operators do infer, that the Queen not only changed the order of placing their names and subscriptions, but entirely neglected him, by throwing out his name altogether. All these things are told indeed by some historians, who are the more naughty men for their pains; because there is not one single article amongst the whole that is not either altogether false, or quite misrepresented.

For as to the placing the Queen's name before his in publick writings, the royal archives do contain many hundreds of charters, donations, confirmations, &c. to be seen recorded in the books of the great and privy seal, among which I never could find one that had the Queen's name before the King's. Nor was ever the form of their subscriptions altered; for by several original papers, to be seen in the same place, and others in the upper

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^a General preface to his collections concerning Queen Mary, p. ix. and lii.

per parliament-house, the exchequer, and elsewhere in private hands, it appears that the King's subscription was always uniformly on the right hand of the Queen's, from the day of his marriage to the day of his death^a; whether that is to subscribe first or last, let others determine; 'tis nothing at all to the present purpose. I have divers letters in my hand just now so subscribed, of which one is an order to the captain, constable, and keepers of the castle of *Dunbar*, to set the Lord *Gordon* at liberty, to pass where it should please him, dated at *Edinburgh* the third day of *August* 1565, being the sixth day after their marriage. Another of them is a precept directed to the Provost of *Edinburgh*, in the end of *March* 1566, the very month in which the Queen had been made prisoner, and *David Rizio* murdered in her presence; it is also subscribed by them both, in the very same manner as the rest: And in this it is observable that the secretary, or clerk, who wrote it, had written over the top of it the word, REGINA only, which is corrected, as it would seem by the Queen's own hand, and made REX ET REGINA.

When *Henry* was not present, which was the case pretty often, certainly neither letters
nor

^a See Bp. Keith's hist. p. 313.

nor charters could be subsigned by him, nor was it reasonable that all business should be at a stand, for his wilful unnecessary absence. The charters however went all in the names of *Henry and Mary King and Queen of Scotland*: So also did many of the missive letters; others of these that were of less moment, were so contrived as that they might be signed either by both, or by the Queen alone, if her husband was not to be found; and some it behoved her to sign alone, although they had been written so as to require both their subscriptions: Such a one is a licence to *Sir Simon Preston*, and his vassals, to stay at home from the company that past with the Queen to *Jedburgh* in *October 1556*, because he was *Provost of Edinburgh*; and therefore was to attend upon that office. It is dated at *Edinburgh the vii. day of October, the second and xxiii years of their reigns, 1566*; which shews that it was designed that both should have subscribed, but the King had made an idle elopement, and the Queen subscribed alone in this unusual form, *marie R. fiat.*

This might do at home: But when letters were to be sent to Princes or states abroad, they could not go in both their Majestie's names, unless he could be got to sign them; for that would have made a very mean appearance: Hence it is that altho' most foreign

letters went in both their names; yet are there some that bear only the Queen's name. And what of all this? Such letters as these are not the things meant in the proclamation, but only writings that past the seals, proclamations or the like. She must be a sorry wife indeed, who may not write a letter of congratulation, recommendation, or even concerning other business, but must submit that all matters should be stopt entirely thro' her husband's absence. The truth is, there was no fear that ever he should incur either danger or disparagement by the Queen's signing any papers without him; how happy had it been for him that he had signed none without her!

As to the stamp which they say was made to be used in his absence, the Queen's signing so many papers alone, almost proves that there was never any such thing: And had it been so, it was no strange or uncommon matter. All I shall say further about it is, that although I have seen near a hundred of King *Henry's* subscriptions manual, I never yet met with the mark of their iron stamp.

The privilege for printing the acts of parliament, which is printed before the first edition of them, in the King and Queen's name, about which *James Anderson* makes his speech, hath been seen by many in *Scotland*, who never went to *Pembroke's* library for a
fight

Eight of it, for other copies have it besides his Lordship's, and, I hope, are of equal authority. His observation that the edition was finished only about ten weeks before the King was murdered, is true enough: But what would have been the inference, had it been finished only ten days before his murder, is not easily to be comprehended. Is there not some reason to suspect from his dealing thus in dark insinuations, that he knew that this privilege stood recorded in the 34th book of the privy-seal register, in both the King and Queen's name? How then was the Queen concerned, if some copies, by the printer's fault, came abroad in her name only? We are confidently told indeed by others, that the privilege was called in, and the King's name struck out of it. It were to be wished that, instead of bare confident assertions, they would for once prove something material for their purpose. This error might have easily happened in the printed book, by the compositor's laziness, in taking up two or three lines of an old summons or proclamation; or it might have been done of design, by the fraud of the Earl of *Murray* their hero, or some of his associates, of whom not a few were in the commission for printing the acts, as appears by the commission itself; which is prefixed to them, and is erroneously printed

printed after the very same manner. May we not, yea, must we not therefore rather conclude that these errors were committed in the printing? and that the privilege was amended afterwards, because it was not according to the original? It is to be observed, that in the printed copies which bear the Queen's name alone, a great vacancy remained in the second page, and, according to the fashion that obtained in those days, when any such vacancy happens, the printer has shortened the last lines both at beginning and end, so as to make them form the appearance of what the carpenters call a dove tail inverted; and that fashion is generally observed throughout the book, where such vacancies happen; but in the copies that bear the King's name also, that form is not observed, which is a stronger presumption that it was not done at the same time with the rest of the book, than all that they have to say to the contrary.

All the money coined for current use during this marriage, and appointed by authority to have course at a fixed and determinate value, as the publick money of the kingdom, doth bear the Queen's name before her husband's; but upon the medal struck upon the marriage, which was not publick money, nor done by authority (for any man may strike a medal) the King's name is foremost: And
even

even this is an indication that it had been the Queen's intention to allow his name to precede her own upon the coin also; but unluckily the clerks who drew up the proclamations had only specified publick writings. When therefore upon the xxii. day of *December*, near five months after the marriage, the privy council took into their consideration the business of a new coinage, of which they were the only judges, excepting the parliament, finding in their own record, that writings only had been named and appointed to bear the King's name in the first place, they interpreted the act strictly; and, because there was nothing in it about the money, they enacted that the Queen's name should stand foremost upon it; and in this their single act, about the coinage, they placed the Queen's name first to avoid the appearance of incongruity that otherwise would have been betwixt the beginning and the middle of it *. That this was the very reason, is evident from other two of their acts past at that very meeting the same day, the one before this about the coinage, and the other after it; the first of which begins with these words, *The King and Queen's Majesties*. The other thus, *HENRY and MARIE*, &c. In which terms all the

* See it in Bp. Keith's hist. append. p. 118.

the rest of their acts which are in their Sovereigns name do begin, or else, which is to the same purpose, *Our Sovereign Lord and Lady, &c.* and with regard to the coin, 'tis evident that they could not lawfully, or warrantably, have done otherwise than they did.

I am almost ashamed to have bestowed so much time and pains in disproving such frivolous fictions ; but I was in a manner constrained to do it, because I have found some people, who are reputed to be men of good sense and learning, to listen to these pitiful senseless falsehoods, and to be carried away by them to believe worse things. But now when they see that *George Buchanan* and *John Knox* had the shameless assurance to impose upon their readers in matters of fact, of such a publick nature, where they can even at this day be confronted and confuted, by the very deeds and monuments themselves, they may consider how bold it must be expected these men will be in narrating falsehoods of a more private nature, where no documents of the contrary were to be found, or ever could have existed.

C H A P. IX.

Of the Assassination Plot for Murray's Relief; and the barbarous murder of poor David Rizio.

ALthough the wicked contract betwixt the King and the rebels had been mutually agreed to, and ended, yet no means could be found out by the parties, either jointly or separately, to fulfil their engagements; for so long as the Queen was at liberty, she would be too hard for them all. And if the parliament should sit, which had been appointed to assemble very soon, *Murray* and all his associates had inevitably been forfeited, excepting the Duke of *Chastelherault*, who easily obtained favour; at which the King and his father took great offence, for they wanted to see that family quite extirpated. But it was not agreeable to the practice or maxims of the *French* or *Scottish* government, to proceed to extremities against the Princes of the blood, so as to bring them to the block: Altho' that was a common practice in *England*, and had happened once in *Scotland* under King *James I.* who had the unhappiness of an *English* education.

The King, according to his engagements, refused to attend the Queen at the parliament; but that could serve to little purpose; for the parliament would have proceeded well enough without him. Therefore a new plot is entred upon, with the Earl of *Morton*, Lords *Ruthven* and *Lindsay*, and a great many others, for making the Queen herself prisoner, and for assassinating such of her council as they thought would oppose their designs, to wit, the Earls of *Huntly*, *Bothwell*, and *Athol*, the Lords *Fleming* and *Livingston*, Sir *James Balfour*, *David Rizio* and others; who were to be slain in the Queen's own presence, and before her eyes; and thus to prevent the meeting of the parliament.

If any man shall declare his surprize, how persons, so low in power as *Morton*, *Ruthven*, and Lord *Lindsay*, should have dared to venture on such an arduous undertaking, at a time too, when many of the nobility and other great men of the kingdom were met in *Edinburgh* to hold the parliament; he must be informed, that ever since the beginning of the reformation amongst us, there had all along subsisted a constant general conspiracy, for relieving any of the holy brethren that might happen to be in distress, or danger, on all occasions, I
cannot

cannot well say right or wrong, for they were never to be found in the right.

Knox gives us the copy of a band, which, at his own instigation, was drawn up for this purpose, and subscribed at the town of *Air*, the fourth day of *September* 1562 *. He gives us a copy of a letter which he himself wrote for convening the lieges, to rescue two fiery zealots, called *Patrick Cranston* and *Andrew Armstrong*, from justice and due punishment, for an outrage that was committed in the Queen's own chapel ; for which he was carried before the Queen and council ; he himself gives us his own account of the procedure there against him, and how he justified himself, by telling them that some of them had formerly allowed and approved of him for the like, or worse, practices, to wit, while they were carrying on their work of reformation ; and pleaded the word of God for his rule. At the next General Assembly he laid the matter before the whole brethren, alledging ^b, ' That he had received a charge ' from the whole Assembly at the beginning ' of the reformation, to advertise the brethren to convene, whenever any member ' of the kirk should chance to be troubled.' However it seems this was but a false allegation

m m 2

legation, and that he had taken upon him to do so of his own accord ; for none of them remembred any thing about giving him such directions ; only some said that they had heard *Knox* desire to be discharged of that service ; whereupon the assembly gave him their authority and order to continue to do the like in time coming. Thus did the man thrust himself into the office of assembling the Queen's lieges, to obstruct the execution of the laws when he should think proper. In consequence of this, precisely at the time when the Earl of *Murray* and his associates were to slay *Darnly*, and seize the Queen at *Perth*, or on her journey from that town southward, a great number of the Protestants in and about *Edinburgh*, as acting by concert with their brethren on the north side of *Forth*, did assemble at *St. Leonard's* craigs, near *Edinburgh*, and, to put themselves in readiness for an insurrection, did choose their captains, &c. The Queen being informed of this, both by word and writ, by false brethren, says, *Knox*, she commanded the provost and bailies of *Edinburgh* to apprehend *Alexander Guthrie*, *Alexander Clerk*, *Gibert Lauder*, and *Andrew Slater*, and to put them in prison in the castle. The rest of the brethren entered into a combination to rescue them from all trial or punishment. The day of

law

law, says *Randolph*, against the four burges-
ses, men of this town, is like to hold, for
any thing that she can be persuaded to the
contrary: If so be that they do compear,
the Protestants have bound themselves to
assist them, with all the force that they are
able to make. The day is upon *Thurs-*
day next.' By these and the like means,
there was kept up a constant settled conspira-
cy, extending far and wide, which was fur-
ther improved in the following manner.

Soon after that *Murray* and his accompi-
ces had been cited in order to their forfei-
ture in parliament, the General Assembly of
the kirk, upon the xxv. day of *December*
being *Christmas* day, appointed a general
fast throughout the kingdom, by their own
authority, to be kept for eight days. It was
to begin upon the last *Sunday* of *February*,
and to end with the first *Sunday* of *March*.
Among other ends, real or pretended, for this
fast, it was chiefly designed 'for the relief of
' the best part of the nobility of the realm.
' Wisdom, manhood, strength, honour and
' blood, joined with godliness, are fallen, say
' they, before our eyes.' Great care was
taken to inform the vulgar that this their fast
' was not appointed for any religion of time,'
that

* Letter from *Randolph* to *Cecil*, 24th July 1565.
Cotton. Libr. Cal. B. 9. fol. 228.

that is, it was not for keeping lent, ' but be-
 ' cause shortly thereafter the estates of the
 ' realm were appointed to convene in par-
 ' liament.' The confessions and whole ser-
 vice is set down for the first and last days
 and the lessons and psalms are prescribed
 for the whole eight days ; but for want
 of time, the rest of the exercise is referred
 to the discretion of the several ministers.
 The lessons for the whole eight days are
 altogether selected from the books of the
 old testament only : For the first day they
 consisted of the curses, blessings and
 plagues denounced in the xxvii. and xxviii.
 chapters of *Deuteronomy*. For the following
 days they had the behaviour and punishment
 of the *Israelites* after *Joshuah*; their delive-
 rance from the *Midianites* and *Amalekites*
 by *Gideon* ; the slaying *Oreb* and *Zeeb*, and
Sisera ; the cutting off the *Benjamites* ; the
 history of Queen *Esther's* fast, and the hang-
 ing of *Haman* ; the *Ammonites*, *Moabites*,
 and inhabitants of *Mount Seir*, rising against
 and destroying one another, after *Jehosha-*
phat's fast and prayer ; *Senacherib's* invasion
 of *Judah*, *Rabshakeb's* blasphemies, the de-
 struction of the *Affyrians*, and slaying of *Se-*
nacherib : Then *Ezra's* mourning for the
 affinity that his people had contracted with
 strangers ; and lastly, the fast was to end
 much

much in the same terms that it began, saving that the 26th of *Leviticus* and 9th chapter of *Daniel* were prescribed to be read instead of the 28th chapter of *Deuteronomy*, and sixth of the *Judges*. The Psalms were those for deliverance of *David* King of *Israel*, and others in affliction, beginning with, *Why do the heathen rage, &c.* and expressing full confidence in the sudden destruction of enemies, and that the righteous should rejoice at it : *God shall shoot at them with an arrow : suddenly shall they be wounded, &c.*

Nothing could be more prevalent to spirit up the vulgar, than to make them believe that the examples recorded in the books of the Old Testament, were all designed for their imitation ; and that not to follow these examples at a proper season, that is, when their teachers, who were the proper interpreters, should desire them, was to disobey the commands of God, delivered to them by his messengers ; for which the disobedient would not fail to be punished in the same manner as were the *Jews* of old, for despising the admonitions of the prophets. In the order for this fast, *Abab* and *Jezabel* had not been forgotten. As for *Jezabel*, there was no manner of hope for her ; but it is remarked with respect to *Abab*, that notwithstanding all his ungodliness, he lost not the fruit of his humiliation, but was recom-

recompensed with delay of the uttermost of the plagues, during his lifetime. To this order the assembly subjoin their letter to all the ministers within the kingdom, which begins with these words: ‘The present misery, and greater troubles appearing shortly to follow, crave, dear brethren, that every one of us exhort and admonish another, that we recoil not back in the beginning of this battle, which is come upon us unlooked for of many.’ But *John Knox* in his epistle to the reader, is rather more explicite: ‘If we, says he, in this age command the same things, which God in the ages before us hath commanded by his servants, let men beware, lest that in despising us, they despise not also the eternal God, whose holy word is an assurance to us of every precept that we have given.’ Then he subjoins a threat in these terms: ‘And further, we fear not to say, That such as mourn not with *Jacob* in his affliction, shall not rejoice with him in the day of his deliverance; but they shall be compelled to mourn and quake with *Pharaoh*, without end.’

Thus were matters prepared, in a method as effectual for bringing about *Murray*’s relief, and the assassination, the making the Queen prisoner, and hindering the meet-
ing

King of the parliament, as could be devised. In the mean time *Morton* and *Ruthven* laid themselves out to get the young King to join with them in this plot also ; which he did, as they alledged ; but he himself always denied it. Be that as it will, 'tis certain enough that they had not got their matters all in readiness to keep pace with the fast : For the band which they pretended to have gotten subscribed by the King for their warrant, was not drawn up till either the fast should have been near ended, or quite over : The reason why I write thus indeterminately as to the precise date of it, is, because in two copies of it which I have, both written about the very time, the date varies ; for in the one it is said to be on the first, and in the other on the fifth day of *March*. But by good foresight, a remedy had been found out to make the fast to wait their motions, by adjourning it for a week within the city of *Edinburgh*, and permitting it to be kept in the country, as had been prescribed by the General Assembly ; than which adjournment nothing more expedient could have been contrived ; for the fast in the country being thus over, friends could the better flock from thence, to *Edinburgh*, without suspicion, as if they came only to join with the city brethren in prayer and fasting.

Accordingly, upon the penult day of the fast in *Edinburgh*, being the ninth of *March*, when it began to be dark, there assembled about the Queen's palace of *Holy-rood-house*, five hundred persons, some in secret armour, and the rest in jacks, and steel bonnets, with guns, pistols, swords, bucklers, *Fedburgh* staves, halberts ^a, and other warlike accoutrements.

The Queen sat down to supper about seven a clock, expecting no such matter, and the King coming up stairs, had placed himself beside her. In the mean while the Earl of *Morton* and Lord *Lindsay*, with one party, guarded the entry to the palace, and Lord *Patrick Ruthven*, with another party rush perforce into the room, armed cap-a-pe, where they found her Majesty sitting at supper, accompanied with her bastard brother and sister, namely, *Robert* Commendatar of *Holy-rood-house*, and the Countess of *Argile*, with *Beton* of *Creich*, master of the household, *Arthur Erskine*, *David Rizio*, and a few other servants; so that, to their great disappointment, of all those whom they had destined for death, they found none present but *Rizio* only. *Ruthven* accosts the Queen, telling her, that he wanted to speak with *Rizio*. The Queen asked her husband whether he knew any thing

^a Henry Yair's trial, MS.

thing of that enterprize? who denied that he knew it. Then the Queen ordered *Ruthven* to get out of her presence, under the pain of treason, and if *David Rizio* had done any thing amiss, she should exhibite him before the parliament. But that would not do; *Ruthven* attacked *David* in her Majesty's presence; and the poor stranger, for refuge retired behind her back. Upon this they rush forward, overturn the table upon the Queen herself, and then strick the man with daggers over her shoulders; and some of them stood with cocked pistols before her face, while the others dragged the wounded man to the door of her chamber, and dispatched him with fifty six strokes of swords and daggers. Which being done, the Lord *Ruthven* returns to the Queen's presence, and tells her Majesty, ' that he and his accomplices were, forsooth, ' highly offended with her proceedings and ' tyranny, which to them was intollerable. ' That she had been abused by *David Rizio*, ' whom they had actually put to death, ' namely, in taking his counsell for maintain- ' ing papistry, debarring the Lords who were ' fugitive, and entertaining amity with fo- ' reign princes and nations, [*France, &c.*] ' with whom she was confederate; as also, ' for admitting into her council the Lords ' *Bothwell* and *Huntly*, who, he said, were

‘traitors, and to whom *David Rizzio* did associate himself.’ They also did inform the Queen, that the Lords who were banished in *England* were to resort towards her the next day, who would take plain part with them, against her ; and that the King was willing to remit to them their offences.

. In the mean time the Earls of *Huntly* and *Bothwell*, who otherwise would infallibly have been sent after *David*, made their escape out of their chambers in the palace, by getting out at a back window, with the help of some cords, and thereby both saved their lives and estates, the greatest in the kingdom at that time, which the conspirators expected as a reward for murdering the proprietors ; and also put the conspirators themselves under some apprehensions of danger.

The provost and town council of *Edinburgh* having been informed that there was a tumult in the royal palace, caused ring their common bell for assembling the citizens, who went down in a great number, and desired to see and speak with the Queen, to know her welfare. But *Morton* and *Ruthven* would not permit her Majesty to give an answer, but threatened her extremely, declaring to her face, that if she should desire to speak with the townsmen, ‘they would cut her in collops, and throw her over the walls.’ Thus they

they kept her in captivity within her chamber, hardly permitting her to speak with any of her domestick servants, either men or women. The next day proclamation was made, in the king her husband's name, without her advice or knowledge, commanding all the Prelates and Lords convened to the parliament, to retire themselves out of *Edinburgh*. All that day also the Queen was detained prisoner, her servants and guard debarred from her service, and herself watched by the committers of these crimes, to whom a part of the community of *Edinburgh*, to the number of fourscore persons, joined themselves.

In the evening of that same day, being *Sunday*, the Earl of *Murray*, accompanied with the Earl of *Rothes*, the lairds of *Pittarrow* and *Grange*, the tutor of *Pitcur* and others, who had been with *Murray* in *England*, came to them, 'and, says the Queen, 'seeing our treatment was moved with natural affection towards us.' But he had been privy to the whole design; so this was arrant hypocrisy, and soon appeared to have been so. For the very next day he assembled the enterprisers of this late crime, and such other rebels as came along with himself, and held a council,

* Letter to the Archbishop of Glasgow, her Ambassador in France, Bp. Keith's hist. p. 332.

council, in which they thought it most expedient that the Queen should be imprisoned in the castle of *Stirling*, there to remain until she should in parliament have approved all their wicked enterprizes, established their religion, and given to the King the crown matrimonial, and the whole government of the realm ; or otherwise in all appearance they firmly purposed to have put her to death, or detained her in perpetual captivity.

But it seems the young King began soon to perceive that he himself was little better than a prisoner amongst these men. He therefore undertook to procure to them remissions without compulsion, and to get them confirmed in parliament. But then to make their pardon effectual, her Majesty must be at liberty. He promised that he would keep her in sure guard for that night : And thus they were got out of the palace, together with their guards and assistants.

After they were gone, the Queen entered into an expostulation with her husband about his behaviour, informing him how he would be handled himself, if he permitted these Lords to prevail against her. By her arguments he was persuaded to make his escape along with her, which they did a little after midnight, accompanied with *Arthur Areskine*, and other two persons only, and got safe to

Dun-

Dunbar. And after a few days, having assembled a considerable force, they returned to *Edinburgh* : But before they arrived there, the conspirators had fled, the chiefs of them to *England*, and the others to the more remote parts of *Scotland*. *John Knox*, the man who had drawn up the order for the fast, tells us himself, that he past west to *Kyle*, thereby plainly taking upon him a share of the guilt in these horrid transactions.

‘ After this manner above specified, says the same *Knox* *, to wit, by the death of *David Rizio*, the noblemen were relieved of their trouble, and restored to their places and rooms : And likewise the church reformed ; and all that professed the evangel within this realm, after fasting and prayer, were delivered and freed from the apparent dangers which were like to have fallen upon them. And if the parliament had taken effect, and proceeded, it was thought by all men of the best judgment, that the true protestant religion should have been wracked, and popery erected : And for the same purpose, there were certain wooden altars made, to the number of twelve, found ready in the chapel of the palace of *Holy-rood-house*, which should have been erected in *St. Giles’s* church.

As

As this man and his colleague *John Craig*, did draw up the form of this fast, and caused *Robert Lekprevick* to print it, by appointment of the General Assembly^a, no man in the world could better declare the purposes for which it was kept. Let any person therefore compare this his explanation, with the form itself, or with the brief account of it already given out of itself, and let him either believe or doubt as he pleases, whether it was appointed for promoting and cloaking a conspiracy for the relief of *Murray* and his associates, and for stopping the meeting of the parliament. What he can mean by telling us, that the church was reformed by murdering *David Rizio*, is not easily to be understood; for it doth not appear how the reformation received the least accession from that fact; for it still continued after that in the same state as it had been for years before. Reformation of the church, both in the discipline and doctrine, had been found very necessary for many centuries, and was extremely desired and designed by many of the *Roman* catholick persuasion themselves; as is plain from the council of *Constance*. Upon the disputes of that council, which happened a hundred years before their days, the first and best of the reformers founded their separation from the

^a Calderwood's hist. MS.

the rest of the christian church, altho' few have thought fit to acknowledge the matter plainly and honestly. However, had they proceeded upon that foundation, and settled their matters in a regular way, upon principles truly religious and sincere, all might have been well, and turned out for the general good of mankind. But how much soever a reformation was wanted, and however beneficial it might have proved, if rightly conducted and brought about, it ought not to have been founded, or supported, by shedding the blood of the innocent, by robbing altars, demolishing churches, and turning some thousands out of their livings and estates, to which they were as well intitled, and had as strong securities by law, as any men in the world: Which amongst us availed them nothing at all; for every thing that belonged to them, was violently seized by our reformers, and they themselves set out naked to starve, or if they had the courage to complain, banished or knocked o'the head. So stood matters at the Queen's arrival.

The tale about the wooden altars depends entirely upon *Knox's* word. And had the matter even been so, it was no justification of their procedure. But both he, and his fellow labourer *George Buchanan*, have falsified so notoriously in their narrations of real facts,

that no credit can be given them, when they tell us of designs and intentions only : Yea, their single assertions are rather to be suspected for pure fictions, if they cannot be otherwise supported.

This *David Rizio* came to *Scotland* in the retinue of *Monf. Moret*, ambassador from the *Duke of Savoy*. At that time the *Queen* had one *Raylet* a *French* man who was her secretary for her *French* affairs. He was turned out of his office for a fault, for which courtiers in our days are seldom displaced *. And *Rizio* being a person of good education, and well qualified for the purpose, succeeded him in that office, in the year 1564. Upon the *Lord Darnly's* coming to *Scotland*, *Lord Robert* the *Queen's* bastard brother, and *David* had been appointed to assist the *Earl of Lennox* in giving advice and counsel to his son, not only in matters in which an *English* education is commonly defective, but likewise in affairs of prudence ; which he continued to do, till within a month of the time when he was thus cruelly murdered, in reward for his services and good counsels. It seems when he found the young *King* unadvisable, and obstinately bent to pursue wrong measures, he had informed the *Queen* : At which, tho' it was for his own welfare, the *King* took of

* See *Bp. Keith's hist.* p. 268.

offence. But the main cause of his murder was, that he associated himself with the Earls of Huntly and Bothwell, and such others as studied the Queen's happiness and prosperity in her affairs.

CHAP. X.

Objections answered.

AGainst all that has been said in the last chapter, it may possibly be alledged, that the story is told with the greatest partiality: That we have only one side of the question laid before us: But should both parties be heard, matters would appear in another light. Sir *James Melvil* taketh *Rizio* with much indiscretion, which he tells us, he himself endeavoured to correct; but all in vain. *George Buchanan*, after making reflexions on *Rizio's* poverty, (which ill became him, for he himself had been in greater straits, until he was enriched by the Queen's liberality) descants upon *Rizio's* vanity and arrogance, telling us, that he had the Queen's ear too much, that he used too much familiarity with her, both before and after her marriage with *Darnly*; with a senseless story how the King carried always about with him the key of the Queen's chamber-door, and once found

the door bolted when *David* was within; and when he knocked, no body answered. That the Queen resolved to make *David* a Peer of the first rank, &c. Others ^a write that she designed him to exercise the office of chancellor at the parliament; which provoked the nobility against him, especially the Earl of *Morton*, who had been chancellor since the death of the Earl of *Huntly* in the year MDLXII. All which notwithstanding, they had no intention to have slain him in that manner; but to have brought him to publick justice: Far less did it enter into their thoughts to slay him in the Queen's presence, or in her chamber: Nor did they intend hurt to any other persons. This is attested almost by all our own historians ^b, and also by Monsr. *De Thou* and others. Nor did they hold cocked pistols to her majesty's breast, as they tell the story: Nay Lord *Rutbuen*, in the account that he wrote of this matter, for justifying himself, tells us, ' That he desired his accomplices only to carry the man down stairs to the King's chamber: And he takes God to record, that none of these horrid things was meant or done; and that they did not strike *Rizius* till he was at the most distant door of the Queen's

^a Knox, Spottiswood, Crawford.

^b Knox, Buchanan, Melvil, Spottiswood, Calderwood.

Queen's outer chamber: But, says he, her Majesty makes all these allegations, to draw the Earl of *Morton*, Lords *Ruthven* and *Lindsay*, and their accomplices, into greater hatred with foreign Princes, and with the nobility and commonality of the realm; who have experience of the contrary, and know that there was no evil meant to her Majesty's body! But how could others know what they designed? The account of the whole matter given in the preceeding pages is the Queen's own account, and I might trust the courteous readers, whether they will take her word and writ for it, or *Ruthven's* writ and swearing. Others, I doubt not, would prefer the latter. For which reason we shall in the first place shew how greatly his memory failed him, from an original letter subscribed both by *Morton* and *Ruthven*; for that these actions were perpetrated by them, upon no particular quarrel that they had against *Rizio*, but only for the relief of *Murray* and his accomplices, under a pretence for religion: And that they expected to be relieved in like manner by him and his associates. Secondly, from the band which they themselves drew up to be signed by the King for their protection, it is manifest that there was a design to murder several others, besides *David Rizio*; and that the plot was

was laid originally to murder them all in the Queen's palace, and even in her own presence.

LETTER from Morton and Ruthven
to Throckmorton.

AFTER our hearty commendations: At your last being in Scotland, sent by the Queen's majesty of England^a, it was foreseen by you what troubles were appearing to ensue, as since the experience hath given proof. We have thought good to let you know as our trouble has proceeded, which is moved upon the slaughter of an *Italian* called *Davy*; the said slaughter moved upon no particular quarrel of ours, but were solicited thereunto by the King, whose hatred was so great against the said *Davy*, that he intended to have done the same with his own hand, if we had not assisted his Grace therein. And finding the King so bent against the said *Davy*, who was a pestilent counsellor to the Queen's majesty our Sovereign, against the nobility^b, common well of our country, the religion, forfeiture of our Brethren, then banished

^a *Viz.* In the month of May, before the Queen's marriage with Darnly.

^b They call their own party always the Nobility, or the Lords, absolutely, as if the other Lords had not been both greater, and more numerous than they.

nished for the time, *we thought it meet and convenient to labour for the relief of our brethren*, who were in trouble, as we did; whereby they were caused to return home, where they are presently; where we had remained, if the king had kept such part unto us, as he promised, both by word and writ.

And since we are in trouble *for the relief of our brethren, and the religion*, we doubt not to find your favour, as our brethren have done of before, who were of late banished: Desiring you most heartily, that by yourself, and such others as you may procure, we may find favour at the Queen's majesty your mistress hand, for remaining within her highness's realm, unto such time *as we may be relieved by the help of our brethren, which we hope in God shall be shortly*. And thus committing your Lordship to the protection of the Almighty God. From *Berwick* the second day of *April* 1566.

Your assured friends, as you may command,

MORTOUN.

RUTHVEN.

BOND

B O N D of assurance for the murder to be committed.

BE it known to all men by these present letters : We HENRIE, by the grace of God, King of *Scotland*, and husband to the Queen's majesty ; For as much as we, having consideration of the gentle and good nature, with many other good qualities in her majesty, we have thought pity, and also thinks it great conscience to us, that are her husband, to suffer her to be abused by certain privy persons, wicked and ungodly, not regarding her Majesty's honour, ours ^a, the nobility thereof, nor the commonweal of the same, but seek their own commodity and privy gains, especially an stranger *Italian*, called *David* ; which may be the occasion of her Majesty's destruction, ours ^a, the nobility, and common weal of the same, without hasty remedy be put thereunto, which we are willing to do ; and, to that effect, we have devised to take these privy persons, enemies to her Majesty, us, the nobility and commonweal, to punish them according to their demerits ;
and

^a Some words seem to be wanting here in all my three Copies.

and, in case of any difficulty be to call ^a them immediately to take them and slay them, where-soever it happeneth.

And because we cannot accomplish the same, without the assistance of others, therefore we have drawn certain of the nobility, earls, lords, barons, freeholders, gentlemen, merchants and craftsmen to assist us in this our enterprize, *which cannot be finished without great hazard* ^b. And because it may chauce that there be sundry great personages present, who ^c may make them to gainstand our enterprize, *wherethrough some of them may be slain*, and in like ways of ours; where-through a perpetual feed may be contracted betwixt the one party and the other; Therefore we bind and oblige us, our heirs and successors, to the said earls, lords, barons, freeholders, gentlemen, merchants and craftsmen, their heirs and successors, that we shall accept the same feed upon us, and fortify and maintain them, at the uttermost of our power; and shall be friends to their friends, and enemies to their enemies; and shall neither suffer them nor theirs to be molested nor troubled in their bodies, lands, goods, rooms, or possessions, so far as lieth in us. And if any

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person

^a *Al.* In case of any difficulty, to cut them off immediately, and slay them, &c.

^b *Al.* hurt. ^c *Al.* which.

person would call any of the said earls, lords, barons, freeholders, gentlemen, merchants or craftsmen, for enterprising or assistance with us, for atchieving of our purpose, *because it may chance to be done in presence of the Queen's majesty, or within her palace of Holy-rood-house*, we, by the word of a Prince, shall accept and take the same on us, now as then, and then as now; and shall warrant and keep skaithless the aforesaid earls, lords, barons, freeholders, gentlemen and craftsmen, at our uttermost power. In witness whereof we have subscribed these presents with our hand. At *Edinburgh* this first day of *March*, the year of God 1565.

There are indeed no persons here mentioned by name, but *David* only; yet it is most evident, that it had been determined to involve several others in the same fate: nor is it to be doubted but that the Queen had sure and sufficient information who the persons were, *viz.* the Earls of *Huntly*, *Bothwell*, *Arbuckle*,^b &c. although the poor stranger is only named: But in truth, when one considers that we have our copies of this paper only from these men themselves, he cannot be certain that they had not left out those great

^a *Al.* fifth. ^b See above, p. 244.

great hames, for fear of resentment. If it shall be said, that private persons only are destined for slaughter ; the answer is, that such were the Earls of *Huntly* and *Bothwell* in their account, whom they would have to be esteemed as condemned traitors. *Calderwood* writes, I know not upon what authority, that ' secretary *Lethington* retained the Earl of ' *Athole* with himself, within his lodging ; for, ' says he, *Lethington* was privy to the plot, ' and supped that night with the Earl, partly ' with purpose to with-hold him from offer- ' ing, or save him from suffering any vio- ' lence ; partly that he should not be suspect- ' ed by the Queen, having the Earl of *Athole* ' for a witness of his behaviour. He had en- ' joined his attendants to be quiet, till it came ' to action ; and then to arm themselves and ' come, as it were, suddenly to the fray, but ' indeed, if need were, to join themselves ' with the Earl of *Morton* in the inner court.' This is a more probable account how the Earl of *Athole* happened to escape, than that given by the Lord *Ruthven* ^a ; who studied more to say things that might seem to palliate or alleviate his crimes, than to restrict himself to matter of fact. In one place he says he told her Majesty, that ' not so much as

p p 2

' one

^a See Bp. Keith's hist. Append. p. 125.

‘ one point, without false witnesses, could be
 ‘ made good against *Murray* and his accom-
 ‘ plices ;’ than which nothing more barefaced
 could have been asserted. In another place
 he makes the King to tell her, that so soon as
 ‘ the fellow *David* fell in credit and familiari-
 ‘ ty with her, she did not regard him ;’ al-
 though it cannot easily be believed that he
 ever could use any such expression, because
David had come as much in credit as ever,
 before *Darnly* came to *Scotland* ; and af-
 ter his coming became a counsellor to him.
Melvil writes that he found how *David* had
 been *Darnly*’s great friend at the Queen’s
 hand ^b : And one can hardly conjecture what
 temptation *Melvil* could have to say so, if it
 had been otherwise ; for there is the greatest
 reason to think that his accounts of *David*’s
 arrogance, &c. are altogether injurious, and that
 the advices which he pretends to have given
 him have no truth in them : No more than
 when he tells us that he himself was sent upon
Sunday forenoon, to cause the provost of *Edin-
 burgh* to assemble the citizens for the Queen’s
 relief ; when ’tis certain that the provost had
 done so the night before.

The other tales told about this man, are
 meer fictions and cavils, contrived for screen-
 ing the guilt of the murderers. They tell
 us

^b *Memoirs*, p. 156.

as that he was to be made a peer of the first rank, whereas he had not even been naturalized : But the affirming that he was to have been made chancellor at the parliament, is of all their stories the most intollerable : For how absurd is it to imagine that it ever could have entred into the Queen's thoughts, to make a man the mouth of the parliament, who neither knew the customs, laws, nor language of the country ! And yet this is most greedily swallowed by some people : Though in truth it has no more foundation than that it is a gross blunder in translating one of *George Buchanan's* sentences, who, speaking of the debates that arose about *Murray's* intended forfeiture, tells us, ' that in the mean time *David* went about among them all, sounding their inclinations, what every single man's sentence would be, with regard to those who were absent, if he should be chosen a $\Pi\rho\acute{o}\varsigma\lambda\alpha\omicron$ (a lord of the articles, as I take it,) by the rest of the meeting '. This *Greek* word they understood to be meant of *David*, and translated it *Chancellor* ; and thence is all his chancellorship. Thus the sentence is made worse in the translation, which surely could not be true

* *David interea singulos circumibat, animosque pertentabat quid de absentibus decreturus quisque esset, si à reliquo consensu $\Pi\rho\acute{o}\varsigma\lambda\alpha\omicron$ legeretur.* Where *quisque* is evidently the nominative to *legeretur*.

true in the original, as *Buchanan* might well have seen, had his evil disposition allowed him to reflect, that the man could not speak *Scottish*, and that few of the others could talk in the languages which he understood.

But a question may be started, if it is a mistake in translating *Buchanan's* history, how could it have got into the book of *Knox*, who was dead long before the other had written his book? Even by the evil art of interpolating, by which too many of our histories have been spoiled: And that interpolator has made another mistake of a like nature within the compass of a page; for *Buchanan's* iron stamp, of which already, is by him called *a seal, like the King's seal*.

Another point which may happen to be controverted is, that we have said that this tragedy was acted in the time of the fast in *Edinburgh*: Whereas in the order for that fast, as it is printed before the book called *Knox's liturgy*, it is expressly said to have been appointed to begin only the second *Sunday* of *May*, which is more than two months thereafter. And this also arises from vitiating; for in the edition printed that very year in which it was drawn up, it is appointed to begin the last *Sunday* of *February*, and to end the first *Sunday* of *March*. But that it was put
off

off, for reasons; within the city of *Edinburgh*, till the following week, may be seen from *Knox's* history, where he tells in one place, 'that upon *Sunday* the third day of *March* began the fasting at *Edinburgh*.' And in the following page, 'that the next day after *Rizio's* murder, was the second *Sunday* of our fast at *Edinburgh*.' Whether the days were altered in the later editions, that such actions might not appear to have been done in the time of the first fast of the reformed kirk in *Scotland*, or for other reasons, I shall not determine: But they did it only by halves; for they left the evidence still standing against them in these words, *Because that shortly thereafter are the estates of the realm appointed to assemble in parliament*. Now there was no appointment for a meeting of parliament after the xii. day of *March* for that year.

The Lord *Ruthven's* account of these matters enables us to discover, that the reasons which they alledge for themselves are only sham pretences. He dates the first motion of the matter from the 10th of *February* 1565-6. And affirms the cause was the King's hatred conceived against *Rizio*, which he then first communicated to *Ruthven*: Whereas it is evident from the articles agreed upon betwixt the King and *Murray*, and by *Morton* and *Ruth-*

Rutbven's letter, that their projects had been formed some time before, upon quite other views amongst themselves, even for the relief of the brethren, as the event declared : And that this was only an after contrivance of a pretext for putting their designs in execution. They had even communicated their general intention to *Randolph*, the *English* Queen's resident at *Edinburgh*, before the manner had been fully settled ; for upon the 5th day of *February*, *Randolph* writes to *Cecil* in these terms *, ' The Queen of *Scots* hath said openly, that she will have mass free for all men that will hear it. Her husband, his father, Lord *Athole* and others now daily resort unto it. The protestants are in great fear and doubt what shall become of them. The wisest so much mislike this state, and government, that they design nothing more than the return of the Lords, either to be received in their own rooms ; or once again to put all in hazard.' Hence it is plain, that the plot was formed a considerable time before *Rizio* was thought on : And indeed, whoever can believe them, that they assembled five hundred men in arms, for assassinating a single stranger, is not only capable to swallow a gudgeon, but a camel too.

An

An outcry about the mass, whether true or false, or for it, or against it, as it happens to be established, or abolished in any country, hath always a great effect upon the minds of the vulgar ; and with that view is it raised up on occasions for serving the purposes of designing men. But the mass had nothing to do in the present case. The Earl of *Atbol* and *David Rizio* went to mass indeed ; but surely *Huntly*, *Bothwell*, Lord *Livingston*, or Sir *James Balfour* did not go : Yet were they all to be served alike. Of the other side *Lennox* and his son were papists ; but *Morton*, *Ruthven* and *Lindsay* stanch protestants : Yet did they combine together ; so that at this juncture protestancy and popery joined hands.

The motive that induced them to perform their exploit in the Queen's presence, was, that since they were to bring home the Earl of *Murray*, it was firmly purposed, among some of them at least, that he should be entirely restored to the state in which he was before, or rather to have his condition made some better. After the Queen had driven him and his associates out of the kingdom, she had become pregnant. This was a new bar in his way, which considerably dashed his hopes of seizing the sovereignty : And to make her majesty's own chamber a slaughter-house for butchering her greatest and most faithful sub-

jects and servants, before her own eyes, must be owned to have been an expedient well adapted for removing that obstacle, and to rid the world both of her infant and of herself; considering that she was then six months gone with child.

The conspirators and their accomplices, being best acquainted with their own designs, had all along given out, that the Queen was not pregnant : The Queen herself had told that she was so; but must never be believed.

Upon the xxiv. of *January*, *Randolph* writes to *Cecil*, of a conference that he had with her Majesty while she was a-bed, and how she excused herself to him ^a. ‘ I told her, ‘ says he, that I thought she had somewhat ‘ in her belly that kept her waking. She ‘ smiled, and said : Indeed I may now speak ‘ with more assurance than before I could ; ‘ and think myself more out of doubt, that it ‘ should be as ye think, than before I did : ‘ Yet, says he, her being with child is hardly ‘ believed *of many*.’

To the same purpose he had written upon the xvi. of that same month ^b; ‘ It is spoken ‘ for certain, says he, that she is with child : ‘ And it is said that she felt the child stir in ‘ her belly upon new year’s day. Some ladies affirm that she hath milk in her breasts ; ‘ and

^a Cotton Libr. Cal. B. 9. fol. 232. ^b *Ibid.* Fol. 216.

‘ and finding all other tokens to concur, be-
 ‘ longing to women lately married, assure that
 ‘ for certain it can be no otherways.— What
 ‘ other folks opinions are, I need not to write:
 ‘ Only I may say, that *many* can hardly be-
 ‘ lieve that there is any such matter.’

It might have been naturally expected that this matter should have met with some credit after it had been notified to a foreign ambassador by the Queen herself: But instead of that, whatever credit it might obtain amongst others, it became less credible by far amongst *Randolph's* greatest intimates. For by his letter the vii. day of *February* 2, he acquaints *Cecil*, that the Queen had utterly refused to do any good to my Lord of *Argyle*. And that that should be the first voyage which she was to make after she should be delivered. ‘ Of her being with child, continues he, ‘ the bruit is common that she is, but hardly ‘ believed of *many*: And of this *I can assure* ‘ you, that there have of late appeared some to- ‘ kens to the contrary.’

In opposition to this *Randolph's* assurance stands the general opinion of mankind, that when a genteel woman falls with child, one who cannot perceive it, after about five months, knows little or nothing of the matter. And there will be no injury in saying

q q 2

fur,

but doth not tell how it came to be there; because he wanted that it should be reckoned the King's own act. But behold how ticklish a thing it is to connect falsehoods! The very supposition that the King stabbed *Rizio*, directly overturns the main point which *Rutb-ven* himself was labouring all along by words and oaths chiefly to establish, namely, that *Rizio* was not wounded in the room where the Queen sat: Now the King was all the while within that very room, even by his own account. Let us next hear the King himself.

Apud Edinburgum, xx. Martii, Anno Dom. MDLXV.

FOR AS MUCH AS divers seditious and wicked persons have maliciously spread rumours, bruits, and privy whisperings amongst the lieges of this realm, slanderously and irreverently backbiting the King's majesty, as that the late conspiracy and cruel murder, committed in presence of the Queen's highness, and treasonably detaining of her majesty's noble person in captivity, was done at his commandment, by his counsel, assistance and approbation: His grace, for removing of the evil opinion which the good subjects may be induced to conceive, through such
false

false reports, and seditious rumours, hath as well to the Queen's majesty, as in presence of the Lords of secret council, plainly declared upon his honour, fidelity, and in the word of a prince, that he never knew of any part of the said treasonable conspiracy, whereof he is slanderously and fakelessly^a traduced: Nor never counselled, commanded, consented, assisted, nor approved of the same. Thus far only his highness oversaw himself, that at the enticement and persuasion of the said late conspirators, his Grace, without the the Queen's majesty's advice or knowledge, consented to the bringing home forth of *England*, of the Earls of *Murray*, *Glencairn*, *Rother* and other persons being there, with whom her highness was offended^b; which he hath in nowise denied. And this is the simple, sincere and plain truth; to all and sundry be it made known and manifest by these presents.

Mr. *Archibald Douglas* minister, or parson, of *Douglas*, who was one of the murderers of *Rizio*, and afterwards of the King himself, writes thus to Queen MARY concerning both; PLEASE it your Majesty. I received

^a i. e. Groundlessly or innocently.

^b And who were in a plot to murder himself. See above, p. 201.—211.

‘ ceived yours of the xii. of *December* ; and
‘ have seen some part of the contents to
‘ Monfr. *Mauvissiere*, ambassador to his most
‘ most Christian Majesty : Both which are a-
‘ greeable to your princely dignity ; as by the
‘ one your highness desire is, to know the true
‘ cause of my banishment ; and your offers of
‘ favour, if I shall be innocent of the heinous
‘ fact committed on the person of your husband
‘ of good memory. The said ambassador declar-
‘ ed unto me, that if your husband’s murder
‘ could be laid upon me, you could not solli-
‘ cite my cause, nor any person’s concerned in
‘ that execrable fact ; but would revenge the
‘ same. Your majesty’s offer of the innocence
‘ of that crime is most favourable ; and the de-
‘ sire to know the same most equitable : And
‘ therefore I shall do the same with all simplici-
‘ ty, sincerity and truth, to the end your most
‘ princely dignity may be my helper, if my in-
‘ nocency can sufficiently appear ; and procure
‘ my condemnation, if I be culpable in any
‘ thing, excepting the knowledge of the evil
‘ disposed minds of the most of the nobility,
‘ against your said husband, and not revealing
‘ of it ; which I am assured was as sufficient-
‘ ly known to himself, and to all that had a-
‘ ny judgment in that realm : Which I also
‘ was constrained to understand, as I was
‘ especially concerned between the Earl of
Morton,

Morton, and a good number of the nobility, that then, with all humility, interceded at your majesty's hands for his relief; as is more especially contained in the declaration following; in which I am constrained, for my own justification, to call to your majesty's remembrance, though I am assured, to my grief, the reading thereof will offend your princely mind.

May it please your Majesty to remember, that in the year 1566, the said Earl of *Morton*, with divers of the noblemen and gentlemen, were declared rebels to your Majesty, for the insolent murder committed in your own chamber; which, they alledged, was done by command of your husband; who affirmed that he was compelled by them to subscribe that warranty, given for that effect. However, the truth of that matter remains among them; it is not my business. True it is, that I was one of that number, who heavily offended your Majesty, and passed into *France*, the time of our banishment, at the desire of the rest, humbly to beg your brother, the most christian King, to interceed for us: Altho' divers of no small reputation in that realm, were of opinion, that the said fact merited rather to be requested for, than pardoned, &c.

Mr. *Douglas* is so far mistaken, when he writes that the King said he was compelled by the conspirators to subscribe the warranty; for we have seen, that he constantly denied that ever he subscribed it, or was made privy to their design; and it is certain that he ever afterward bore them ill will. He once upon the 29th of *September*, refused to enter the palace because three or four Lords were then present with the Queen; and peremptorily insisted that they should be gone, before he would condescend to come in; although, say the Lords of the privy council, 'they were three of the greatest Lords of the kingdom.' Probably the Earls, *Argyle*, *Murray*, and *Roths*; for from the council-book it appears, that these three were at court about that time. He also urged that secretary *Lethington*, Sir *John Bellenden*, justice-clerk, and Mr. *James Macgill* clerk-register, should be turned out of their offices, for being accessory to that murder. There was however no clear proof, but only against the clerk-register, who was therefore turned out and banished; altho' there were no small grounds of suspicion against the other two; for the justice-clerk's brother, and two of the secretary's servants, were actually present at the committing that impious deed.

George

George Buchanan, treating of this affair, says, ‘Proclamation was made by a herauld, (and that not without laughter, amidst so much publick sadness) that no person should say that the king was either partaker in *David’s* slaughter, or privy to it :’ Which sentence is defective in two respects ; first, as is usual with him, in point of veracity ; for the proclamation is purely declarative, without any authoritative injunction. Secondly, it is not very conformable to good sense : For let it be supposed that the King did really grant that warranty, yet none could have known that besides himself and some of the chief conspirators, and few of those too, seeing *Archibald Douglas* could not tell whether it was so, or not : And they being all fled, others surely had no foundation for laughter, or derision, on that account.

After all I do not believe but that they had indeed drawn up that paper before hand, in order to get it signed by the King ; for had it been an after-composition, it is reasonable to think that some wicked things that are in it, would certainly have been omitted.

C H A P. X.

*Of the most material transactions,
from the murder of Rizio, to the
murder of the King.*

UPON the fifth day of *April*, the Lords of the privy council judged it most commodious for the common weal of the country, if it might stand with the Queen's majesty's pleasure, and with the health of her body, that she should remain in the castle of *Edinburgh*, till she should be delivered of her birth. And in case her majesty should pass to any other part to remain, the council should still stay in *Edinburgh*, and some noblemen should abide with the Queen's majesty, where her Grace remained ^a.

There was great need for this precaution; for by the last sentence, excepting one, in *Morton* and *Rutbven's* letter to *Throk Morton* above-recited ^b, it is certain enough that there was a new conspiracy in agitation amongst the rest of the religious brethren, for relieving them in some such manner as they had used to bring home the brethren; which design it seems was to have been accomplished

^a Bp. Keith's Hist. fol. p. 335. ^b P. 265.

ed during the time that the Queen should have been in childbed. Sir *James Mevill* writes, that on the pretence for preventing any thing of this kind, ‘ the Earls of *Hunt-*
 ‘ *ly* and *Bothwell*, together with the Bishop of
 ‘ *Ross*, envying the favour which the Queen
 ‘ shewed to the Earl of *Murray*, took occa-
 ‘ sion, when her majesty’s delivery drew near,
 ‘ to perswade her to imprison him, till she
 ‘ should be delivered, alledging that they were
 ‘ assuredly advertised that he and his depen-
 ‘ ders were resolved to bring home the banish-
 ‘ ed Lords, even at the very time of her child-
 ‘ bearing : For they thought if once he [*Mur-*
 ‘ *ray*] were warded, they should find enough
 ‘ of devices to cause him to be kept and dis-
 ‘ graced ; especially when he should be ab-
 ‘ sent, and not have opportunity of answering
 ‘ and resisting their calumnies : Whereof her
 ‘ Majesty, (continues *Melvill*) gave me an
 ‘ account, desiring me to mind her of their se-
 ‘ cret designs against *Murray*, without any
 ‘ just cause, flowing only from their own
 ‘ hatred, who had devised the same.

It hath been shewn already, by the testimo-
 ny of *Morton* and *Rutbven* themselves ^a, that
 they did expect to be soon relieved by *Mur-*
ray and their other associates, in like manner
 as they had lately relieved him : And it is
 pretty

pretty certain that the privy council were very apprehensive of such a design, when, by their act already mentioned, they find it most convenient for the common weal, that, if it might stand with her Majesty's pleasure, and health of her body, she should remain within the castle of *Edinburgh* till her deliverance; for both that castle and *Stirling*-castle are unhealthful places; on which account the Queen would have chosen neither of them; nor would her council have given her such advice, had it not been to disappoint conspiracies. Any man therefore, who is acquainted with *Melvill's* other treacherous practices, will be apt to conclude, not only that his narrative of this matter is full of gross prevarications, but also that he himself has been in that very plot, which he denies to have existed; and in this he seems to have served the mother just as trustily as he afterwards served her son, when, being sent by him with some dispatches, he both acted contrary to his commission, and forgot to return with the answers: For which his Majesty gave him only this gentle reproof, that he was *Corbie's messenger*^a, as we are informed by himself.

Melvill however writes, ' that the Queen
' went to *Stirling*, intending to ly in there :
' Thither

^a A proverb with us, alluding to the raven sent out of the ark by Noah. See *Melvill's memoirs*, p. 170.

Thither the King followed her, and from that to *Alloway*. At length she came back to the castle of *Edinburgh*; and that it was thought she fled from the King's company. In which there is no appearance of truth. It is evident from records under the great seal and privy seal, by the council book, and by original letters of that time, that the Queen had not gone to *Stirling* before the 5th of *April*, when the act of council was made about her remaining in the castle of *Edinburgh*; and it is highly improbable, that, after the act was made, she should have changed her mind. An hundred evidences I have seen, that she was at *Edinburgh* from the xix. day of *March*, till *July*, but have met with none that could shew her to have been elsewhere. *Knox* also informs us, that about *Easter* the King went to *Stirling*; that great numbers resorted to mass in the chapel of *Holy-rood-house*, albeit the Queen remained still in the castle, with her priests of the chapel-royal. To the same purpose too *Buchanan* writes, 'that soon after the *ides*, or xiii. day of *April*, the Queen perceiving the time of her delivery to approach, retired into the castle of *Edinburgh*'. But as she solemnized the feast of *Easter* there, which that year happened on the xiv. day of *April*, it is certain enough that she must have retired thither rather before

fore the thirteenth day, than after it. And in that castle of *Edinburgh* she brought forth her son, upon the xix. day of *June* MDLXVI. about ten o'clock in the forenoon.

The Queen; upon her recovery, past to *Alloway* by water, in the end of the next month of *July*; so that *Melvill* has inverted the order of time, when he writes that this was before her delivery. Small anachronisms of this sort are too common, and although they are not so unpardonable, when people fall into them without design, yet do they sometimes contribute to confound the truth of history, no less than pure fictions. *George Buchanan's* account of this matter is, ' That
' the Queen, fearing as it were, lest her favour
' to the Earl of *Bothwell* should not be sufficiently manifested, once upon a day, very
' early in the morning, with one or two attendants passed down to *Newhaven*, and without letting any mortal know whither she was
' hurrying, went on board a small vessel that
' lay there in readiness. It had been prepared by *William* and *Edmund Blackaders*,
' *Edward Robertson* and *Thomas Dickson*, all
' of them dependants on the Earl of *Bothwell*,
' and pirates notorious for rapacity. With
' this retinue of robbers then, says he, to the
' great astonishment of all good men, she put to
' sea, without taking alongst with her so much

as one of her servants of higher rank : And in *Alloway* castle, where the ship arrived, she demeaned herself for some days, as if she had forgot not only royal dignity, but even the modesty of matron.' In which narration there are not a few blemishes : As, *first*, when he affirms, that the Queen made this tour in order to manifest her great regard to *Bothwell*, and yet doth not make it to appear from any thing that he says, that *Bothwell* was in her retinue. *Secondly*, when he tells that nobody knew whither her Majesty was bound ; and with the same breath acquaints us, that a ship lay in readiness for receiving her. However, if it shall be asked, Whether *Bothwell* did not actually accompany the Queen to *Alloway*, at this juncture ? It is most probable that he did ; for if he was not either sick, or absent upon necessary business, it surely well became him, as hereditary admiral of *Scotland*, to attend the Queen by sea. Hence also the reason is evident, why *William* and *Edmund Blacaders*, together with the rest of *Bothwell's* dependents, did prepare the ship for the Queen, even because they were the Lord high admiral's captains and officers. These are the men whom *Buchanan* calls noted pirates ; although it had never been heard that the Earl of *Bothwell* admiral, or his officers, had been concerned in any piracies. *Buchan-*

an copied these tales into his history, out of his own infamous detection, but not with that small consistency and coherence in which they stand there : And in writing his detection, he took the hint from a paper which *Murray* presented to Queen *Elizabeth* at the conferences at *Westminster*, where, among many other stories, which can be proved to be untruths, from publick records, they say, *That July 20. or thereabouts Queen MARY fled the King's company, and past by boat with the pirates to Alloway, where the King coming, was repulsed* ^a.

But she had not, according to *George Buchanan*, so much as one servant or Officer of rank, or note, in her train. If so, the Earl of *Bothwell* surely was not there, for he was the greatest officer within the kingdom, both by sea and land : And if neither he, nor any other officer or servant of any rank went along ; this expedition could in no ways answer the end of manifesting her Majesty's high regard for that Earl, for which *Buchanan* says it was intended. The truth of the matter is, the Queen actually had her ministers of state about her, as is evident by a number of charters under both the great and privy seals, as also her privy council, which met at *Alloway* upon the xxviii. of *July*, as

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^a See Anderson's collections, vol. 2.p. 269.

appears from their publick proclamation of that date, 'charging all Lords, Barons, Freeholders, &c. within the sherriffdomes of *Edinburgh, Berwick, Selkirk, Peebles, Lanark, Renfrew, Clackmannan, Kinross, Fife,* and within the constabulary of *Hadington,* that they, with their substantial householders and friends, all furnished in warlike manner, should come to *Peebles*, upon the xiii. day of *August* to meet the King and Queen, who for punishing offenders, and establishing justice universally, were to pass through the whole realm, beginning at the borders.' Which proclamation is ingrossed in the record of privy-council. From which record it also appears that the Queen had not gone to *Alloway* so soon as the xx. day of *July*, as *Murray* and *Morton* did assert; for by another act entered therein, we find that the King, the Queen and privy-council were all at *Edinburgh* upon the xxiv. and that her Majesty was still at *Edinburgh* upon the xxv. of that month, appears by a charter under the privy seal ^a. They had returned to *Edinburgh* upon the xxix. on account of some business, as it would seem, which could not well be transacted elsewhere; for there are charters granted both at *Alloway* and *Edinburgh* that very day ^b. And there are

f f 2

others

^a P. S. Reg. lib. 35. fol. 56. ^b Ibid. fol 60. &c.

others bearing date at *Holy-rood-house* upon the xxxi. On which day also the privy-council sitting at *Edinburgh* did appoint letters to be directed to the provost, baillies, and inhabitants of *Fedburgh*, charging them to prepare meat, drink, and lodgings for men and horses for the assizes or justice court appointed to be held there upon the xvii. day of *August*, at which the King and Queen declared they intended to be present. Upon the first day of *August*, it seems the Queen and court went back again to *Alloway* ; for there are charters granted both at *Edinburgh* and *Alloway* bearing that date ^a. Nor was her Majesty attended to that place by her privy council and officers of state only, but also by Monfr. *de Mauvissiere* the *French* ambassador : And the King her husband was pleased to stay there two nights ; although *Buchanan* writes, ‘ That when the King had followed her to *Alloway* by land, he hardly got a few hours allowed him for his servants to refresh themselves ; but as a troublesome disturber of her pleasures, he was commanded to return to the place from whence he came.’ Now the Queen at this second time did not stay at that place above two or three nights ; at most ; for
we

^a P. S. Reg. fol. 64. 78.

we find that upon the iv. day of *August* he was come back to *Edinburgh* ^a.

Before the middle of the month of *August*, the King and Queen had past to their forest of *Ettrick*, to recreate themselves by hunting the deer ^b; but the game had been so entirely destroyed, that they could get no pastime there of that kind, as they themselves declare, in their privy council holden at *Rodono* the xvi. day of that month, at which time they enacted a proclamation to be made for observing the acts of parliament and former proclamations against shooting deer: Nevertheless they remained in that country for some days, and were at *Traquair* the xix. day of that month ^c. From thence their Majesties went towards the western *Highlands* to hunt there, and were at *Drymen* on the xxx. day of *August* ^d, and they had come to *Stirling* in the beginning of *September* ^e.

George Buchanan's poetical fancy seems to have been much exhausted when he wrote of these matters; and being unable to invent any particular scandal on this occasion, he envelopes himself under a general one; for with him the Queen his great benefactress, whether

^a Ibid. fol. 61. ^b Holinshed's hist. of Scotland. Bp. Keith's hist. p. 345. and his Append. p. 169.

^c P. S. Reg. lib. 35. fol. 63. ^d Ibid. fol. 67. ^e Ibid. fol. 68. 69.

of his father's letter ; beseeching him to declare his reasons for his intended voyage ; but could get no satisfaction. On the morrow therefore she convened her privy-council, together with the *French* ambassador ; and *John Lesly* Bishop of *Ross*, by the Queen's commandment, declared the King's intention before them ; and his father's letter was produced and read in their presence. Which being done, first the Lords of privy-council desired the King to acquaint them, whether he had taken a resolution to depart out of the realm by sea ? And if he had, for what reason, and upon what design ? But he seemed to have no inclination to give them any satisfaction. Then the Queen, taking him by the hand, besought him for God's sake to declare whether she had given him any occasion for any such intention ? And entreated that he would deal plainly, and not spare her. Lastly, the *French* ambassador addressed him in terms becoming his character, when called to be present about an affair so extraordinary. But he would not acknowledge that he intended any such voyage, or laboured under any discontent. In particular he declared, that the Queen had given him no ground for any ; and with that he left the chamber of presence, using these words to her Majesty, *A-*
dieu,

dieu, Madam, you shall not see my face for along while : And bidding farewell to the *French* ambassador, and also to the Lords of privy-council. Soon thereafter he sent a letter to the Queen, written in a sort of disguised stile, signifying that he still had a design to leave the kingdom, and expressing the reasons of his displeasure, which were two : *Viz.* That her Majesty trusted him not with so much authority, nor was now at such pains to advance him, and make him to be honoured in the nation, as at first : And that no body attended him ; for the nobility did forsake his company. To wit, he wanted to have the whole administration put into his hands ; but how unwisely the Queen would have acted if she had done so, must be obvious to every body. It hath been shewn already ^a, by the mutual contracts betwixt him and *Murray*, and his party, that he had a design to divest the Queen of the government, entirely by their means, and to seize it himself : And this they had obliged themselves to bring about, and to banish or slay every mortal that should oppose or gainsay him in that matter, providing that he would prevent their forfeiture. He had fulfilled his part : But they were so unthankful, that they shunned his company : And seeing they did so, who had

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receivd so great a favour by his means, it was not to be wondered at, if others of the nobility, whom he and *Murray*, &c. had destined for destruction, should shun him also.

King *Henry* being thus gulled and disappointed by *Murray* and his party, and having no reason to expect any other assistants at home for accomplishing his design, he determined to seek help from abroad : For that seems to have been the end of his intended journey. ‘ He wrote, says *Knox*, to the Pope, ‘ to the King of *Spain*, and to the King of ‘ *France*, complaining of the state of the country, which was all out of order ; all because that mass and popery were not again ‘ erected ; giving the whole blame thereof to ‘ the Queen, as not managing the catholick ‘ cause aright. By some knave, says he, this ‘ poor Prince was betrayed ; and the Queen ‘ got a copy of these letters into her hands, ‘ and therefore threatned him sore : And ‘ there was never after that any appearance ‘ of love betwixt them.’ *Knox* ought not to have written the last part of this sentence ; for surely there was appearance of love, on the Queen’s side at least : And that her Majesty threatned her husband, is so inconsistent with every part of her conduct, of which we have any certainty, that it can never meet
with

with credit upon the bare authority of a man like *Knox*.

The relation which is here given of the King's intended journey, is taken from the accounts of that matter which were sent to the court of *France*, both by the privy council of *Scotland*, and by the *French* ambassador, in the month of *October*. But *George Buchanan* tells another story. To make his narration tally the better with the forged letters, he puts off this affair, which really was transacted in *September*, till *January* thereafter. ' When the Queen heard, says he, that the King was recovered, as having overcome the poison, by the vigour of his youth, and strength of his natural constitution, a new plot was devised for cutting him off, and some of the nobility were made privy to the wicked design; when in the mean time news was brought her, that the King purposed to fly to *France* or *Spain*, and that he had conferred on that affair with some *Englishmen*, who had a ship stationed in the Frith of *Clyde*: Some were of opinion that a proper opportunity presented itself why the Queen should send for him, and if he refused to come, that he should be slain openly: Nor were there wanting people who promised their assistance. Others advised that the wicked deed should be executed privately: They

‘ all agreed, that it ought to be done speedily, before he were throughly recovered.’ And yet we see from the best authorities, that this matter had been examined and canvassed in council in his own presence, and the business all over, in a manner directly opposite, about three months before he fell sick. And it may be doubted whether an example can be given, where any other historian before *Buchanan*, ever dared to fly so confidently and fully in the face of a truth, so well known in his own time, as *Buchanan* hath done here.

Their Majesties, as has been said already, had determined to hold assizes throughout the kingdom, and to be personally present thereat: For this purpose the justice had received command to take up indictments, and all persons who had any actions to pursue or defend, had been forewarned thereof by proclamation, as appears by the act of the privy council the xxi. day of *July*. Upon the xxviii. day of the same month it had been resolved in council, to begin to hold the first of these courts at *Fedburgh*, upon the xvii. day of *August*, and to summon the noblemen, gentlemen, and freeholders, &c. of several adjacent shires, to meet their Majesties at *Peblis* upon the xiii. day of that month; and upon the last day of *July* the magistrates and inhabitants of *Fedburgh*, were charged to prepare meat,
drink

drink and lodging for men and horses^a : But because the harvest was approaching, the matter was adjourned by another act of the privy council, dated at *Edinburgh* the viii. day of *August*. Then upon the xxiv. of *September* the privy council appointed the noblemen and gentlemen, &c. of the several adjacent shires, to be charged by publick proclamation, to meet their Majesties at *Melross*, upon the viii. day of *October* ; but before that day came, the King had absented himself ; and the Queen was obliged to go without him.

A day or two^b before she took this journey, the Earl of *Bothwell*, Lord-lieutenant of the marches, went before to bring in some of the *Elliot*s, a small unruly tribe, living near the borders, who, with the assistance of some of their neighbours, and the connivance of the *English* wardens, had raised considerable disturbances in favour of the Earl of *Morton* and his associates. But they had before-hand resolved to assassinate *Bothwell*. And accordingly one of them assaulted him unawares, whom, it seems, he slew, but not till he himself was first grievously wounded.

As the first reports concerning matters of this nature, are often not very conformable to truth,

^a See above, p. 294. ^b It could be no sooner, for the Earl *Bothwell* sat in a convention at *Edinburgh*, September vi. *Reg. P. C.*

truth, news came to *Jedburgh* that the Earl of *Bothwell* and some of his men were slain, or rather the news were first dispersed at *Jedburgh*, for nothing less was designed, and nothing less expected by some people there, as shall be made appear immediately. Next day therefore, being the xvi. of *October* ^a, the Queen and council past from *Jedburgh* to the *Hermitage*, with an armed force, to quell the insurrection; but the assassines had taken refuge in *England*, as had been concerted betwixt them and the *English* wardens. The Queen thinking it unsafe to trust her person further in so bad neighbourhood, hasted back to *Jedburgh* that very night: And doubtless had she known that some of the principal contrivers of the plot to murder *Bothwell* were in her own retinue, namely the Earl of *Murray* and his associates, she would have been still more afraid. They had not only formed the plot, but had likewise imparted their design, and the manner of accomplishing it to the Earl of *Bedford*, Lieutenant of the *English* marches, a man very zealous for reformation, who, upon the 3d of *August*, writes thus to secretary *Cecil* ^b, ‘ The lairds of *Brunston* ‘ and

^a The Queen grants a charter at the Armitage. xvi. day of *October* MDLXVI. *Reg. priv. Sigil. lib. xxv. fol. 77.*

^b Original Cotton Lib. Calig. B. 10. fol. 380.

and *Elphinston*, who were abroad with the Earl of *Morton*, have, by the Earl of *Murray*'s means, got their pardon, and are gone home. The Queen thinketh, as I hear, that the Earl of *Morton* is returned home, and is come to the Lady of *Crawfurd*, who of old time hath been a friend of his after the *Scottish* manner: And there he is with her; and the Queen sent a company to search for him. She meaneth shortly to go against the laird of *Cessfurd* and his son, with a great force, and to keep a justice court at *Fedworth* for that purpose: But some doubt if it be kept. Then *Bothwell* shall come with a force, and subdue all. But the gentlemen, as the Lord *Home*, lairds of *Cessfurd* and *Buccleugh*, and the rest of the surname, do promise to live and die with *Cessfurd*, and to withstand *Bothwell*, unless the Queen come in person.

The *Elliot*s, who, we feared would become our open enemies, have sent to the Lord Warden and me, to suffer them to lyve five or six days upon our borders: And we answered, As much as we might do, without breach of amity, and as the treaty will any ways bear, we will shew them favour. And they promise us all quietness and good neighbourhood.

Again

Again upon the xii. day of *August*, he writes to *Cecil* in these words ^a, ‘ I have
 ‘ heard since *Mauvissiere*’s going thence, that
 ‘ the King and Queen have bedded together,
 ‘ whereby, ’tis thought, some better agree-
 ‘ ment may ensue. The journey to *Fed-*
 ‘ *burgh* holdeth not. Pray remember the
 ‘ laird of *Grange*, for were it not for him, the
 ‘ Queen’s Majesty in this respect [of privy
 ‘ intelligence] had been but ill served. He
 ‘ hath right well deserved, and therefore I
 ‘ trust you will have consideration of him.’

‘ I HAVE HEARD that there is a DEVICE
 ‘ working for the Earl of *Bothwell* ; the par-
 ‘ ticularities whereof I might have heard.
 ‘ But because SUCH DEALINGS like me not,
 ‘ I desire to hear no further thereof, &c.

The Queen in returning from the *Hermi-*
tage, was so far affected by the night air,
 that the next day, being *Thursday* the xvii.
 of *October*, she was seized with a malignant
 fever, which continued to increase till the xxiii.
 when she found some small relief, but upon
 the xxiv. she relapsed, and swooned away.
 On the xxv. at six in the morning, she lay as
 if she had been quite dead for a considerable
 time ; then falling into a great sweat, the fe-
 ver left her ^b in a very weakly condition.

Let

^a Ibid. fol. 382. ^b See the letters from Monsr. le
 Croc and the Bp. of Ross, to the Abp. of Glasgow, in
 the Append. to Bp. Keith’s hist. p. 133.

Let *George Buchanan's* account of the Queen's sickness be compared with these unquestionable facts, and it will raise in every one a just notion of the religion, modesty and veracity of the man. 'The Queen, says he, upon her return to *Jedburgh*, furnishes and prepares every thing for transporting *Bothwell* thither, with the highest anxiety and diligence: And after he was brought, their cohabitation and familiarity was little to the credit of either. In which place, whether by reason of their toils by night and by day, not very seemly even for themselves, but disgraceful in the people's eyes; or whether thro' some secret providence of God; the Queen contracted a distemper so extreme and pestilent, that no body entertained almost any hopes of her life.'

From what we have seen already, the Queen was most certainly in extreme danger of her life; but as to the other strange and unbecoming actions here enumerated, seeing they could not have happened, unless betwixt *Wednesday* late in the night, when the Queen returned to *Jedburgh*, and *Thursday's* morning, when she sickened; let the problem, Whether they could possibly have happened at all, or not, be discussed betwixt *Buchanan's* most hardy defenders, and scythe-bearing Time. *Buchanan* further, adds, 'that

‘ how soon the King was informed of the
 ‘ Queen’s sickness, he hasted to *Jedburgh* by
 ‘ *journies exceeding great* :’ Although the
 road betwixt *Jedburgh* and *Stirling*, from
 whence, he says, the King came, will not
 make one exceedingly great day’s journey.
 The like he had written a little before, of the
 Queen’s marching to the *Hermitage*, by *great*
journies ; and to make his story pass the better,
 he affirms that she posted thither from
Borthwick ; whereas it appears from the privy
 council book ^a, and other records, that
 her Majesty had been at *Jedburgh* about eight
 days before she set out for the *Hermitage*,
 and the distance betwixt these places is only
 about eighteen miles. Such representations
 are proper enough for misleading foreigners,
 who know not the distance betwixt these places ;
 but how great must his confidence have been
 who published them amongst the natives !
 The worst of all is, that the King came not to
 enquire for the Queen all the time that she had
 the fever, nor for some days after it had left
 her. The *French* ambassador writes in his
 let-

^a An act of the privy council at *Jedburgh*, *decimo Octobris* 1566, for regulating the price of victuals, begins thus :
 FORSAMEKILAS, after the Queen’s majestie’s coming
 to the burgh of *Jedburgh*, complaint was made to her
 highness of the great exorbitant dearth raisit, and extor-
 sion usit upon the subjects repairing thereto in her Highness’s
 company, &c.

letter dated at *Fedburgh* the xxiv. day of *October*, that the King was at *Glasgow*, and had not as yet come there, tho' he had been advertised of her Majesty's sickness, and had time enough to have come, had he been willing: This is a fault, says he, for which I can make no apology ^a. And by a letter from the Bishop of *Ross*, mentioned already, it appears that he was not yet arrived at *Fedburgh* upon the xxvii. What reception or entertainment he met with when he came, I cannot precisely affirm; but surely it would not be the better that the Queen was indisposed.

After staying near a month at *Fedburgh*, the Queen, with eight hundred, or a thousand horsemen in her retinue, first came to *Kelfo*, where the privy council sat upon the fifth and tenth days of *November*: Then taking a tour by *Berwick*, and along the coast by *Dunbar*, she came to *Craigmillar* in the neighbourhood of *Edinburgh*, on or before the xxiv. day of that month; where she tarried for the most part till the xiii. of *December* ^b, that she went towards *Stirling*, for baptizing the Prince.

George Buchanan represents this whole affair of holding courts of justice on the borders,

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ders,

^a Append. to Bp. Keith's hist. p. 133.

^b The Queen was at Linlithgow the xiii. of December on her way to Stirling, *Reg. P. S. lib. 36. fol. 49.*

ders, as if it had been only a jaunt for pleasure, from place to place, betwixt the Queen and *Bothwell*; and it is represented in the same manner in a false journal of her proceedings, presented to Queen *Elizabeth* and her court by the Earl of *Murray*, in the Year 1568 ^a. Whereas she was attended by her whole court and council, and a great armed force, for administration of justice, according to the custom of her predecessors. One may see in *Howard's* collection of letters ^b, that her father held courts for the like purpose in these very places, *Fedburgh*, the *Hermitage*, and *Kelso*, in *January* MDXLI. And that her mother had done the same in the months of *June* and *July*, in the year MDLIV. is to be seen in *Strype's* memorials ^c. But such is the wickedness of our historian, that out of the most innocent, just and necessary transactions, he extracts reproach and scandal against the Queen. ' While the Queen and *Bothwell*,
' says he ^d, were yet both sick, she of her
' fever, and he of his wound, she, in great
' feebleness of her body, paid him visits e-
' very day: And when both began to be
' a little better, but before they had suffi-
' ciently recovered strength, they return-
' ed to their wonted pastime, and so publick-
ly

^a Append. p. 247. ^b P. 169. ^c Vol. 3. p. 137.
^d Detection & hist. lib. 18.

ly too, that they seemed to dread nothing more than that their lewdness should be unknown.' He had forgotten that he had immediately before brought the very same charge against them, when *Bothwell's* wounds were yet quite green, and while all other circumstances of time and place rendered the thing impossible ^a. No man surely could have written thus, who was not himself possessed of a very lewd heart. This agrees with the short character which the Queen herself gave of him, '*Buchanan* is known to be a LEWD MAN and ATHEIST ^b. His naughty poems serve likewise to confirm the first part of this character; and his assisting in the forgery of letters to *Bothwell*, and then offering to swear them upon the Queen ^c, seems to justify the last part of it: And therefore it ought to have had a place amongst the testimonies concerning him, prefixed to his works, rather than many of the rest, which are altogether false.

During her Majesty's stay at *Craigmillar*, *Murray*, still pursuing the old conspiracy, which he had formed against the King's life: on a morning in the beginning of *December*, he and secretary *Lethington* came to the Earl of *Argyle's* chamber, who was yet a-bed; and after lamenting the banishment of the Earl of

^a See above, P. 307. ^b Letter from the Earl of Shrewsbury and Mr. Beal to Queen Elizabeth. Cotton, libr. Calig. c. 9. ^c Append. p. 142.

of *Morton*, the Lords *Lindsay* and *Ruthven*, with the rest of their faction, they said, that the occasion of the murder of *David Rizio*, who was slain in the Queen's majesty's presence, was to trouble and stop the parliament in which the Earl of *Murray* should have been declared rebel and forfeited : And seeing that the same was done for the Earl of *Murray's* welfare, it would be esteemed ingratitude in him, if he, and his friends, in reciprocal manner, did not enterprize all that was in their power for the relief of those banished persons : Whereof they thought that *Argyle*, for his part, should have been as desirous as they were. *Argyle* agreed to do for their relief every thing in his power that would not offend the Queen. *Lethington* told him, That the most ready and best way to obtain *Morton's* pardon, was to promise to the Queen, to find means to divorce her Majesty from the King her husband, who had so highly offended her. *Argyle* doubted how that could be done. Upon which *Lethington* undertook that *Murray* and he himself should find the means to make the Queen quit [free] of him, if *Argyle* and the Earl of *Huntly* would only wink at the matter : They applied to *Argyle* first, because it was most probable and reasonable that he should exert himself for the relief of *Morton*, seeing
 he

he himself, as well as *Murray* and the others, had escaped from being forfeited by *Morton's* means. Then they sent for the Earl of *Huntly*, and propounded the matter to him ; and, for his consent, promised that they should get him restored to his lands and offices, to which he had as yet been restored only in part, and the act of forfeiture against him and his friends stood still unreduced : In which matter they assured him not only of their own friendship and assistance, but also that *Morton* and his accomplices should do the like. *Huntly* answered, that he should make no stop to any thing that might be profitable and honourable, and especially wherein the Queen's pleasure and welfare might consist. Then they all four went to the Earl of *Bothwell's* chamber, to sound his mind, and get his advice in the matter, who did not gainsay any more than the others ; and no wonder, for *Huntly* was his brother-in-law ; on which account he would be ready to study his advantage. Besides *Murray* and *Lethington* had made all the other three believe that the proposal had come originally from the Queen.

In the last place, all these five persons went together to her majesty ; and *Lethington* having recounted a great number of grievous and intolerable offences that the King her husband had most ungratefully given her,
and

and how he every day proceeded from ill to worse, he proposed, that if her Majesty would pardon the Earl of *Morton*, and the Lords *Ruthven* and *Lindsay*, with their accomplices; he and the others then present should find means to procure her divorce from her husband, in which matter her majesty should not need to intermeddle; enlarging upon the great necessity that she had to take resolution therein for her own ease and that of the realm; because he troubled both herself and all of them, and would not cease till he did her some evil turn, to which it would be difficult for her to find a remedy.

The Queen answered, That she would hear them only upon two conditions: First, that the divorce could be made lawfully; and secondly, that it would not be prejudicial to her son: Otherwise she would rather endure all torments than consent. That perhaps her husband would change his opinion; and that it were better that she herself should pass to *France* for some time, till he should acknowledge himself. They undertook to bring about every thing rightly for her welfare, and the security of her son. But the Queen discharged them to do any thing which might spot her honour or conscience, praying them rather to let things continue in the same Estate in which they were, abiding till God

of

of his goodness should provide a remedy :
 That they, believing to do her a service,
 might possibly do something that might turn
 to her displeasure. But *Lethington* still insisted
 that her Majesty would leave the manage-
 ment of the matter to them, and then she
 should see nothing but what was good, and
 all approved by parliament. For these rea-
 sons, the Earls of *Huntly* and *Argyle* did de-
 clare that, as the murder of the King follow-
 ed soon thereafter, ' they judged in their
 ' consciences, and held for certain truth,
 ' that the Earl of *Murray* and secretary *Le-*
 ' *thington*, were the authors, inventors, devi-
 ' sers, counsellors, and causers of his murder,
 ' in whatsoever manner, or by what persons
 ' soever the same was executed : ' As may
 be seen at length in their protestation upon
 that head ^a. And it is thought that no man
 in his senses, who considers the matter, will
 be of another opinion, especially if he is ac-
 quainted with any of *Murray's* former or
 after practices. 'Tis very likely that this
 device of the divorce was contrived in order
 to bastardize the Prince, and so to set him and
Murray upon a level.

I am well aware that Monfr. *de Rapin*
Thoyras, in his history of *England*, falls foul
 upon *Camden* for giving an abridgment of
 this

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^a Append. p. 316.

this protestation of these two Earls; affirming that it must be a forgery; and with a great deal of jargon, founded on ignorance, and interlarded with nonsense, he attempts to evince the forgery. In answer to all which it is enough to remark, that *Murray's* own original answer to this protestation is still extant. For he, good man! having been before publicly accused of that murder^a, to his face, and being challenged too on that account by Lord *Herrys*, had modestly declined either to answer, or fight. Challenges by notorious assassines, such as Lord *Lindsay*, and *Kirkcaldy* the laird of *Grange*, were, in his way of reasoning^b, no small presumptions against the Earl of *Bothwell*; at least he would have them to be so esteemed: But challenges against himself were to be evaded by subterfuges, till he heard of this protestation by the two Earls, and a challenge at the end of it: Then indeed he thought himself obliged to answer in this manner: That the custom of his adversaries was, and had been, rather to calumniate and backbite him in his absence, than before his face; and so it might happen, that after he should be departed out of *England*, they would perhaps

^a Append. p. 271. 298. 303.

^b Ibid. p. 145. *Anderson's collections*, vol. 1. part 2. p. 140. &c.

haps slanderously and untruly make reports of him, particularly concerning some speeches made in his hearing at *Craigmillar*, in *November* 1566. Therefore, he had declared that whole matter sincerely and truly, and as he would answer to Almighty God, to the Queen of *England*; as he trusted her Highness would report. And if any man would say and affirm, that ever he was present when any purposes were holden at *Craigmillar* in his hearing, tending to any unlawful or dishonourable end, or that ever he subscribed any bands there; why! he averred that they spoke wickedly and untruly; which he would maintain against them, as became an honest man, to the end of his life. He only subscribed a band with the Earls of *Huntly*, *Argyle* and *Bothwell* at *Edinburgh* in the beginning of *October* 1566, in sign of their reconciliation, in respect of former grudges that had been amongst them; which he was constrained to promise to do, before he could be admitted to the Queen's presence, or have any shew of her favour: But that he neither made any other band, nor had any proposed to him before the King's murder; nor could he be prevailed upon by any persuasion to subscribe any band after that murder, although he was earnestly urged to do so,

as he affirmed, by the Queen's commandment^a. Thus *Murray* himself plainly acknowledgeth that there were such conferences as *Huntly* and *Argyle* had affirmed. And his bold assertion that they did not tend to an unlawful or dishonourable end, will never go down with any who will consider the nature of them, and the man's former practices : Every one must see that he designed much mischief against the King at least ; and that he had formerly formed a conspiracy to murder him, hath been proved already^b. His declaring to the Queen of *England* the effect of the whole purposes spoken in his audience at that time, can give no manner of satisfaction : That Queen knew before hand how he had conspired to murder the King, and had herself furthered the enterprise ; so that could be no great news to her. In short this answer is altogether dark and disingenuous. His long story about signing bands, hath no relation to the protestation by *Huntly* and *Argyle* : Some faint information which Queen *MARY*'s commissioners had got, that there had been a band made for murdering the King^c, seems to have given occasion for it. But nothing certain has appeared as yet, that there ever was any such band,

^a See the Paper itself, append. p. 321.

^b P. 202. 206, and append. p. 358.

^c Append. p. 213.

band, excepting that entred upon at *Perth* in the year ^a 1565. Which was long before the time to which *Murray* confines himself in his answer.

Upon the xvii. day of *December* the Prince was baptised at *Stirling*, but the King was not present, either at the solemnity or entertainment: For as we are told by *Camden* Queen *Elizabeth* had given expresse charge that neither the Earl of *Bedford* her ambassador, nor any of his retinue, should give him the title of King; and to deny him that at his own court, was an indignity not to be borne with. *George Buchanan* writes, ‘ That the Queen did not allow her husband clothes and other necessaries on this occasion, and threw the blame upon the embroiderers, and others of the like occupation, and that she discharged him to come in sight of the ambassadors. While in the mean time she bestowed both money and pains to make *Bothwell* appear the most magnificent amongst all her subjects and guests.’ Which deserves no further regard than to observe, how he refutes himself sufficiently, when eight weeks thereafter he employs a taylor to fit up the King’s old coat for the Earl of *Bothwell*; and the most daring taylor he was that ever yet appeared in history, if, as *Buchanan* assures us, he

he was so bold as to say, that on this occasion he saw the law and custom of the country kept up, when the executioner had the apparel of the person who suffered by his hands. In fact, that Earl was not present at the baptism^a, and perhaps not at the entertainment; for there were some animosities subsisting betwixt him and the Earl of *Bedford*, the *English* ambassador. And indeed *Bedford* himself was not present at the baptism, being too much eaten up with zeal against popery, to behold that office performed after the *Roman* manner; and for the same reason, no more than

^a Anno Domini MDLXVI. mensis vero Junii die decimo nono, hora decima ante meridiem, vel eocirca, in arce Edinburgi natus est JACOBUS VI. matre MARIA regina SCOTIAE, patre vero S. P. HENRICO sponso dictae MARIAE reginae. Et baptizatus fuit xvii. die mensis Decembris, anno praedicto, in capella regia Strivelingensi, hora quarta post meridiem. Reverendissimus in CHRISTO pater JOANNES Archiepiscopus Sancti Andreae, legatus, &c. executor officii fuit: ac nobiles viri comes de *Brean*, nomine et vice CAROLI Regis Franciae, et *Monfr. le CROK*, ex parte Principis de *Piemont*, sive de Pedemonte, susceptores erant; nec non nobilis et illustris domina JOANNA, soror praefatae Reginae, pro regina Angliae, et ex commissione ejusdem, missa cum domino de *Bedford*, susceptrix.

Nemo nobilium interfuit tempore solemnizationis hujusmodi sacramenti, demptis domino comite de *Arbol*, comite de *Eglinton*, domino de *Ross*, domino *Seyton*, domino de *Sempill*. Aderant vero Episcopi de *Dunkeld*, *Ross*, & *Dumblane*, cum paucis ecclesiasticis, quorum unus ego scriptor praesentium fui. Sic scribit GEORGIUS NEWTON Archidiaconus *Dumblanensis* in *Collectaneis in Bibl. Fac. jurid. Edinb. RR. 1. 17. fol. 23.*

than five of the nobility of *Scotland* did attend, although all of them had been baptised in the very same manner. And because the Countess of *Argyle* stood God-mother on this occasion, in name of the Queen of *England*, and by her commission, the general assembly of the kirk would not rest satisfied with the lady's making her acknowledgments before their reverences, but enjoined her to do publick penance for that most mortal sin ^a, thereby to display their power and pride, by insulting over a Queen's representative, and a King's daughter.

After the baptism of the Prince, the King and Queen remained some time at *Stirling*, where they kept *Christmas*; and upon the eve of that great festival granted a pardon to the Earl of *Morton*, and seventy five of his accomplices, for making her Majesty prisoner within her own palace, and slaying *David Rizio* before her eyes. Upon the xxvi. day of *December* the Earl of *Lenox* by a letter from *Glasgow* acquainted the King his son ^b, 'how he waited till he should hear when his Majesty was to go to *Peblis*, that he might wait upon him there.' Which when the King had received, he went next day to *Glasgow* to his father, without bidding good-night ^c.

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^a Acts of assemb. ^b Bp. Keith's hist. p. 7. ^c Knox, p. 401.

The Queen therefore, to divert herself from melancholy thoughts, and grief for this behaviour of her husband, went next day to *Drymen*, and there she granted a confirmation of the donation of the vicarage of *Doning*, by Mr. *James Kennedy* chancellor of *Dumblane*, to Sir *William Drummond* ^a. Whether she did stay there all night is not certain, but it is probable that she did so far honour that Gentleman. Upon the xxx. day of *December* she had returned to *Stirling* ^b. Next day she had gone to *Tulibardin*, where she grants a charter for the benefice and parsonage of *Kirkcudbright* to *Adam Murray* servant to the Earl of *Bothwell* ^c; and we find that she was come back again to *Stirling* upon the first of *January* ^d; where she remained till the xiii. day of that month, and then set out for *Edinburgh*.

It was thought proper to remark those things so minutely, and to shew that her Majesty had always her officers of state alongst with her, to confute *George Buchanan*, who; according to his ordinary custom, represents her visiting at these two gentlemens houses, as another jaunt betwixt her and *Bothwell* only; where he says, they spent about eight
days

^a Reg. P. S. lib. 35. fol. 114. ^b Ibid. fol. 113.
^c Ibid. fol. 106. ^d Ibid. lib. 36. fol. 113.

Days more in lewdness, without seeking to conceal it.

I would not have any to think that these shameless aspersions do, in my opinion, deserve any regard to be had of them ; for whoever will only once read them over attentively, must needs perceive, that they have no appearance either of truth or probability. All which notwithstanding, there are few people in the kingdom, who either have not themselves believed these things, or else have heard them so confidently averred by others, that they have found themselves at a loss for a particular answer.

The Queen had not been many days at *Edinburgh*, when she heard that the King her husband lay sick at *Glasgow* ; and tho' it was the coldest time of winter, thither she went to see him, taking her journey upon the xxiv. or or xxv. day of *January*. When she arrived, finding him in a condition to be transported to *Edinburgh*, she brought him along with her, and, on the xxviii. of that month, they had come on their journey as far as *Linlithgow* ^a. Upon their arrival at *Edinburgh*, the King had a lodging made ready for him, till he should recover, near a place called *Kirk of Field*, or *St. Mary's in the fields*, hard by where the Royal Infirmary

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^a See above, P. 120, 121, 122.

now stands, because there was no place in *Edinburgh* where the air was so free and wholesome. Of what kind his malady was, I have not found any certainty. Mr. *Buchanan* is positive that he had got poison ministred to him, and that too by the Queen's direction: Which he pretends to prove in a very ostentatious manner, by sublime rhetorick, and profound ratiocination, from the letters to *Bothwell*, even those very letters, in the forgery of which he himself had assisted, as hath been shewn ^a. Yet altho' the proof was partly of his own manufactory, he did not manage it with that dexterity, which one would have expected from a sophist so acute, and so zealous in the cause.

For having boldly asserted, that the Queen caused poison to be given to her husband, when he was to set out for *Glasgow* (altho' she knew nothing of his setting forth ^b,) he enters upon a colloquy with himself, starting questions absolutely necessary indeed to be solved, being to this purpose.

A. The Queen caused give him poison, do ye say? By whom? In what manner? What kind of poison? And whence had she that poison?

B. Oh! Do ye ask me these questions? as if wicked sovereign princes were ever at a loss

^a Above, p. 80. ——— 138. ^b P. 321.

loss for want of ministers to accomplish their villanies !

A. Too true ! But let us hear, I pray you, who ministred to the Queen in the present case ?

B. First as to the poison, we have certainty.

A. Well then ! Whence the certainty as to that ?

B. From the strangeness of the disease, which was unknown to the very physicians, especially to such of them as had not practised much in *Spain* or *Italy*; and its symptoms, livid blains spread all over the body ; rack-
ing pain in every limb ; and an intollerable smell.

A. But are not symptoms dubious, and common to different diseases ?

B. But *Cato* is clear in the case, That every adulteress deals in poison too.

A. But how doth *Cato*'s sage sayings apply to the Queen *MARY*, or to her ministers ?

B. Have not I already, in this my detection proved her to be an adulteress, not only by the confession of *George Dalglish*, but by her own confession, which she made to the Earl of *Murray*, and his good lady mother ?

A. But how came *Dalglish*'s story into your detection ; for there is no such matter

in his confession, as *Murray* presented it upon oath in *England*? 'Tis true, the Queen's own confession may suffice, providing that we could trust *Murray's* veracity: who, after all ought hardly to have revealed such secret matters communicated to him by confession.

B. But as to the poison, there is proof enough to convince even those who are most hard to be pleased. Will a royal evidence satisfy you? Read her own letter; a letter, I say, written with her own hand. What is the meaning of these words; *He is not much deformed, yet he has received much*? RECEIVED MUCH! of what? The thing itself, the disease, the blains, the bad favour declare it. He got that surely, which brought on deformity, to wit, poison. Doth she not desire *Bothwell* to advise with himself, if he could not find out a more secret method *by medicine*? for that the King should take medicine, and the bath at *Craigmillar*. This medicine must be poison, even the very same thing of which he had got so much already.

A. How doth that appear, seeing there is no word of poison in the letter?

B. Why, she will have the manner of this medicine to be private. What need of privacy, if it was to be for his cure?

But here *Mr. Buchanan* falls into a small mistake, for the words *by medicine*, in the
Scots

Scots language in his days signified *without medicine*. And indeed he had himself rendred them so in this very place, *quam per medicinam*, as appears by a written copy of his detection, which is thought to be the very copy that he presented to Queen *Elizabeth*; and in like manner are these words translated in the *French* letter, *que par breuvage*^a. But before his Latin book came to be printed, having observed that his arguments proceeded upon the supposition that medicine was to be privately administred, whereas the letter expressly treats of something to be done secretly, which was not to be by medicine; and being loth to lose so much fine spun rhetorick, he dashed out the word *quam*, both in this citation in the detection, and in the letter itself, fashioning it so as to make it support his ratiocination.

Whether the King's malady was owing to poison, or not, is the same thing in regard to the Queen. It hath been shewn that the letter alledged was none of hers; so let the forgers of it take the charge of poisoning home to themselves. Others have written that the King had the pox: And *Buchanan* ought to have remembred, that in this very letter he is positively said to be pockish^b: Thus the very voucher to which he appeals stands directly against him.

The

^a Append. p. 23. ^b Ibid. p. 15.

The time now approaching when the conspiracy first set on foot at *Perth* in the year 1565, was got ripe for execution, upon *Sunday* the ix. of *February*, the Earl of *Murray*, pretending that his wife lay sick at *St Andrews*, must needs go and visit her : But at the same time had his heart so full of the wicked action, which he had left in readiness to be executed, that among his other discourse he was pleased to say, *This night, before the morning, the Lord Darnly shall lose his life* ^a. Which accordingly came to pass : For upon *Monday* about two o'clock in the morning, the lodging in which the King lay, was blown in the air, with such force and vehemency, that of the whole lodging, walls, vaults and all, there was nothing left, but all was ruined and reduced to dross, to the very foundation stone ; which appeared to have been effected by a mine ; or, as it is in the Earl of *Morton's* inditement, by powder, which he and his accomplices had put in under the ground and angular stones, and in the vaults and lower parts of the house ^b.

Every one of ordinary discernment concluded that none but *Murray* and *Morton*, with their associates, had perpetrated this horrid action : And although they, with the assist-
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^a Bishop Lesly's defence of Queen MARY's honour.

^b See above, p. 146.

ance of the *English* court, found means, by clamour and presumptions altogether insufficient, to divert the blame from themselves upon others, yet did time, and their after transactions begin to make it manifest, that the first reports were true, and that as they were the original contrivers, so were they, either by themselves or their dependents, the executors of that horrid murder. For at last *Morton*, as 'tis agreed by all men, confessed his foreknowledge of that fact ; and that his cousin *Archibald Douglas* minister of *Glasgow*, told him that he was present at the deed, who was after that greatly in favour with him, for he soon became a Lord of the Session, and was sent to *England* upon divers embassies from *Morton* and that faction, where he was always very acceptable on the same account. Whatever other particulars *Morton* confessed to this purpose, they seem to have been all smothered by the presbytery of *Edinburgh*, who endeavoured to conceal his guiltiness, and favoured him in every point, as we are told by the continuator of *Holinshed's* chronicle^a ; and the same thing is evident enough, from the very account of his confession, which they drew up and published. His jury however, “ being ripely ad-
“ vised

^a See the appendix to Crawford's Memoirs, 2d edit. Edinb. 1753.

“vised with his inditement, the tokens insat-
 “libile, and most evident, with the probate
 “ons produced and used for verifying there-
 “of, did all, with one voice, find the said
 “Earl of *Morton* guilty of *arte* and *parte*,
 “foreknowledge, and concealing the King’s
 “murder.”

David Moyse ^a, who was then in the King’s household, writes, ‘That they found
 ‘so especially, in respect of sundry evidences
 ‘of his inditement presented to the jury;
 ‘some whereof were subscribed with his own
 ‘hand and that otherwise it was verified by
 ‘the depositions of some persons that were
 ‘actors in that horrible fact.’

John Binning, servant to *Archibald Douglas* confessed that he was also present, together with his master, confirming the same by tokens, such as that his master went there in his slippers, and lost them by the way; that the next day they were found, and known to be his master’s: For which reason *Binning* was executed upon the third of *June* 1581, which was the next day after *Morton* was beheaded ^b.

As to parson *Douglas* himself, when it came to his ears that the Earl of *Morton* was accused, he made his escape into *England*; where
 he

^a Moyse’s Memoirs. ^b His trial is marked in the records of justiciary.

he remained till *John Lord Hamilton*, with the Earls of *Angus*, *Bothwell*, *Mar* and *Morton*, the Lord *Glamis* and his son, Lord *Claud Hamilton*, and a great many gentlemen of the surname of *Hamilton*, and others, came and beset the town and castle of *Stirling*, and, by the treachery of the Master of *Gray*, Sir *James Melvill* and some others, made the King in a manner their prisoner. Some of these men had been banished in *England*, and the *English* having favoured their return, at the desire of that court, they got Mr. *Archibald* arraigned and absolved in this manner :

They obtained, or rather extorted from the King, while thus a prisoner amongst them; a pardon to this *Douglas*, for having been in the fore-knowledge of the murder of his Majesty's own father, and concealing it ; as also letters of *rehabilitation*, as we call them, restoring him against the act of parliament MDLXXXI. by which he had been forfeited and denounced a traitor, for being present at that murder.

Then, to complete the business, they obtained a commission, under the quarter-seal, to Mr. *John Preston*, and Mr. *Edvard Bruce* Justice-depute, to bring parson *Douglas* to a trial, allowing him to draw up the inditement against himself, and appointing him a select jury of men who were then esteemed the most

zealous and godly among all his own friends, that is, persons who would hardly fail to condemn the innocent, or to absolve the guilty, out of a pretended zeal for religion, and the cause of God. Matters being thus prepared, upon the 10th day of *May* MDLXXXVI. a jury was impaneled to determine as to Mr. *Archibald Douglas* parson of *Glasgow* his guilt, ' he being suspected of the King's father's murder, as having been at the plotting and contriving the same, with *James Earl of Bothwell*, and others; as also having been present at the execution thereof, as was made appear by the depositions of *James Earl of Morton*, after his conviction, confessing that you *Archibald Douglas* was the revealer of it to him; and by the confession of your own familiar servant *John Binning*, who deponed that he accompanied you that night to the *Kirk of field*: Which crimes ye also took upon you, by flying immediately into *England*.'

Parson *Douglas*, in answer to all this, produced, in the first place, his pardon under the King's hand, and in the next place, his letters of *rehabilitation*, restoring him against the doom of forfeiture. Then, after some cavil's against *John Binning's* evidence, he objected to the Earl of *Morton's* confession, that it was not produced. The jury

ry did very readily acquit him. And then the Master of *Gray* their chancellor, or as the *English* speak, their foreman, protested, that they should incur no pains for wilful error on that account, seeing neither the King's advocate, pursuer, nor his informers, had sworn to the inditement before them; and also in consideration of his remission, letters of *rehabilitation*, and his answers to the depositions of *Binning*, *Morton* and others.'

This Master of *Gray* was the chief man who betrayed the King his master into the hands of the Earls and Lords above-mentioned: Of which he was accused by Sir *William Stewart* before a convention of the Estates, upon the xv. day of *May* 1587; as also that he gave his consent to the murder of Queen *MARY*, when he was sent to *England* together with Sir *Robert Melvill*, to insist for the preservation of her life; for which he received sumptuous gifts and rewards at the *English* court, and of many other treasonable practices. Whereupon he acknowledged in presence of the convention, ' 1. That about the month of *August* 1586, he had written a letter to the Queen of *England*, without the King's knowledge, bearing, that if she could not find her own security without taking his Majesty's mother's life, *quia mor-*

endeavoured to raise a rebellion in *Scotland*; and for the encouragement of such as would rebel, they sent forces to the borders, who were to join them. When one considers such ouvert acts in behalf of the regicides, and reflects that they knew of the design and promoted it from the beginning^a, must needs perceive the contradictions between their acts and professions; and will be apt to conclude, that probably the murder was first projected at that court; and that in all their former declarations against the murderers, they had no other view than to get innocent persons condemned for it, in order to screen the guilty, and favour their escape. From which accusation it were to be wished that they could find a good deliverance,

^a See above, p. 201. — 207. 216.

C H A P. XI.

Whether the Earl of Bothwell had a hand in the murder of King Henry.

IT hath so long obtained amongst writers and readers of history, that *James Earl of Bothwell*, not only had a hand in the King's murder, but that he and his servants were the only persons concerned in it, besides the Queen herself, that some people will be ready to declare their astonishment, how any man should now have the presumption to call in question a point so well settled, and in which mankind are so universally agreed. Such people however ought to reflect, that the proof against him is neither more solid, nor more convincing than that which, with so great industry, they brought against the Queen; nay, not equal to it. Seeing therefore it hath been made appear already, that every thing alledged against her, is either direct falsehood, or manifest forgery ; and seeing the very same persons brought the accusation and proof against him, at the same time, and for the same purposes, the supposition that the one is as void of truth as the other, will be found

to include in it neither impossibility nor improbability ; but must rather appear just and reasonable ; so that the testimony of any noted contemporary historian to that purpose, might seem sufficient to turn the scale in his favour. Now such a historian we have, and always had, even Mr. *George Buchanan*, who absolves the Earl of *Bothwell* as effectually as can be, when after a tedious rodomontado about the taking of *Dumbarton castle*, and *Lenox's* behaviour to the other prisoners, he tells us, ‘ That there was still one
 ‘ prisoner more, whom the Regent most earnestly wished to be put to death ; and that
 ‘ was the Archbishop of *St. Andrews* : And
 ‘ he feared, that if the matter should be
 ‘ delayed for any considerable time, the man
 ‘ might be relieved at the Queen of *England's*
 ‘ request by her letters : The Archbishop's friends also entertained such hopes ;
 ‘ and that shortness of time might be no let
 ‘ to this attempt, the Archbishop earnestly
 ‘ requested that his trial might be according
 ‘ to the laws of the country : for even that
 ‘ would afford some small respite. Which
 ‘ evasion was thus discussed, that there was
 ‘ no occasion for a new trial in the Archbishop's

* Such hopes and fears were equally vain : It can hardly be shown that ever that Queen interceded to further justice, or prevent injustice ; but quite the contrary.

• bishop's case, as it had been already decid-
 • ed in parliament. Therefore, being CLEAR-
 • LY CONVICTED of the murder of the
 • King, and of the last Regent, *he hanged him-*
 • *self at Stirling* *. On this occasion these
 • discoveries were brought to light, being ge-
 • nerally new, as the greatest part of them
 • had been unknown till that very day. The
 • Archbishop of *St. Andrews*, who lodged in
 • the next house, having the proposal made
 • him, that he should slay the King, willingly
 • undertook the employment, both on ac-
 • count of old feuds, and out of the near ex-
 • pectation of transferring the royal dignity
 • into his own family. Therefore, when he
 • had picked out six or eight of the most fla-
 • gitious among his servants, he gave them
 • the keys of the King's lodging, and entrus-
 • ted the business to them. These men ha-
 • ving entered with the greatest quietness,
 • stifled the King to death, while he was asleep,
 • and carried out his body into a garden hard
 • by without the walls. Then, upon giving
 • the signal, fire was put under the lodg-
 • ing.*

Buchanan proceeds to inform us, how these
 discoveries came to light by means of *John*
 a a a *Ha-*

* Cum cædis regie & proregis superioris manifesto tene-
 retur, suspendio *Sterlini* vitam finivit. *Buchan. hist. lib.*
 20.

Hamilton, who was chief actor in executing the wicked deed ; and being afterwards troubled in mind on that account, revealed the same, and the names of all his assistants in confession to a priest, who was school-master at *Paisly* : Which priest averred the whole to the Archbishop's face. That the Archbishop asked the priest, how he came to the knowledge of these matters ? and whether it was not by some auricular confession ? The priest affirmed that it was. Upon which the Archbishop, as taking guilt upon him, answered, Ye are not ignorant, I suppose, what is appointed for those who reveal the secrets of confessions : And, as *Buchanan* affirms, he answered not a word more in relation to the crime. We are also told that the very same priest, being about fifteen months after that apprehended saying mass for the third time, when for that reason, he was led out to execution, he did recapitulate the whole of these stories, both more clearly and copiously than before : which matters being instantly divulged, the clients of the *Hamiltons* fell a brawling amongst themselves, and the one party threw the King's murder in the other's teeth. So that the principal contriver, with the principal executer of the murder, being both *Hamiltons*, and it would seem, the whole of that surname, took the crime upon themselves,

in

In the year MDLXXI. and MDLXXII. If so, the Earl of *Bothwell* had got extremely hard usage three years before, and ought to have been absolved and restored to his heritage and dignities, as one who was most unjustly deprived of them, and most falsely calumniated. And now what becomes of *George Buchanan's* detection, and the xviii. and xix. books of his history, which were all calculated to throw the guilt of this crime upon the Queen of Scots and that Earl? And what a figure must all *Murray* and *Morton's* declarations, proclamations, accusations, and oaths both in *England* and *Scotland*, assume after this discovery? 'Tis true all these things were overpast before the discovery was made, excepting the history only; where the matter was yet entire; and therefore *Bothwell* ought not to have been charged in it with a crime done certainly by the Archbishop. And it is almost incomprehensible how a man who believed that *Bothwell* and his men were the murderers, should have thus positively charged that crime upon the Archbishop and his men: Or if he believed the latter guilty, that he should lay the crime at the door of the former, and impute it to each of them separately, in the same book too, is equally unaccountable. But since *Buchanan* has done this, although we cannot expect to find the real truth of the

matter from such an ambidextrous evidence; yet at least we are sure that, in his opinion *Bothwell* might have been innocent.

The story of that murder was still improved under his management. In the years 1567 and 1568, *Bothwell* and seven of his men committed it, without any other assistant but *French Paris*, as appears from his detection. But before he wrote his history these nine persons had so multiplied, that *Bothwell* took only a few of them with himself, and the rest, making two troops, came by two different ways. In the year 1570, when he wrote his satire against the *Hamiltons* ^a, which he calls *An admonition to the true Lords*; he brought in the Archbishop of *St. Andrews* as an equal sharer with *Bothwell* in that action, telling us, ‘ that he took up his
‘ lodging near at hand, where he had seldom
‘ or never been before, that he might have
‘ the pleasure to perceive that cruelty with
‘ all his senses, and help the murderers if
‘ there

^a It is evident from the last leaf of it excepting one, that it was written before the English army entered Scotland, which was in the beginning of May 1570. The MS. copy of it in the Cottonian library, is dated 1570: And it is probable that it was first printed that year. There is another edition of it by Lekprevick in 1571. which has a new paragraph concerning a pretended third conspiracy of Sir James Hamilton, which is neither in the MS. nor in the first edition, nor in the later editions by Mr. Ruddiman or Mr. Burman.

there had been need; that he sent FOUR of his familiar servants to the execution of the murder, and that he watched all the night, longing to have the joy that the crown was come a degree nearer to the house of *Hamilton*. Although in reality that house was just as far from it after the murder, as before it.

Again the very next year MDLXXI. he altogether cleareth the Earl of *Bothwell* from having had any hand in the matter; and lays the whole burden upon the Archbishop's shoulders, who, he says, effected the murder, by the hands of six or eight of his own servants, as we have seen.

Being of myself unable to give any tolerable account what should have tempted the man to give three several narratives of this matter, so extremely jarring and contradictory among themselves, I had recourse to the edition of his works published by *Burman*, thinking to have found some notice taken of this prodigious behaviour by one or other of his commentators; but it would seem that they had declined to meddle with this affair; for they content themselves with enquiring whether, in writing this remarkable story, their great incomparable author, as they call him, had used, or ought to have used, the words *et* or *at*; *quia* or *itaque*; *erga* or *extra*. Nor do

do they lay any thing of the quadruple injury done to the Archbishop; first in accusing him of a crime of which he was innocent: Secondly, in making him in a manner to confess his guiltiness. Thirdly, in putting him to death unjustly and ignominiously: And fourthly, By representing him as a *felo de se*^a who hanged himself.

But the Earl of *Bothwell* had far stronger arguments of his innocence than any thing that *Buchanan* wrote, or could have written. He was tried and judicially absolved, first by his peers; and then by the parliament^b. After which to condemn him, was contrary to all law and practice. *Buchanan* scoffs at this, telling us, that *Bothwell* was not cleared of the crime by the jury's verdict in his favours, but, as it were washed with sutor's blacking, [*velut atramento sutorio lotus.*] by which words *Cicero* seems to have denoted either corruption of the judges, or some vitiation in their votes or tables. If our historian meant the same, it is of a piece with the rest of his slanders, for there was no suspicion of any such matter, nor the least occasion for it. Whatever he meant, a man can be cleansed of

^a *Suspendio Sterlini vitam finivit.* Bueh. hist. xx. 35. Vid. Sueton. II. 65. Dion. lib. LV. p. 555. Senecae Hippol. I. 259. Plin. hist nat: viii. xlii, &c.

^b Append. p. 163. 361. Bp. Keith's hist. p. 383.

of futor's blacking, but it hath been proved that he and his patrons were plainly *Æthiopians*; let any man wash them if he can.

Amongst a great deal of other senseless vague clamour, invented by that wicked faction against the justice and legality of this trial, the following points are particularized, viz.

First, The summons was not right: For by law the nearest of kin ought to have been summoned as accusers, namely the wife, father, mother, and son, either to appear personally, or by their proctors. Now the Queen did not cause give a particular summons to herself; nor to her mother-in-law, who was kept prisoner by good Queen *Elizabeth*, in the tower of *London*; nor to her son, although he was then near eight months old. She only caused cite specially *Matthew Each* of *Lenox*, the sole accuser, and, in general, *ALL* her other lieges who had, or pretended to have, interest in the matter. And when that shall be found not to have been enough, her two advocates and the court ought to bear the blame: But it is hoped their memories will have no blot fixed on them on this account.

Secondly, They were summoned to appear upon fifteen days warning; whereas the legal term was forty days.

In-

Indeed by the more ancient law of *Scotland*, the defender, not only in cases of treason, but in other criminal cases, was to have forty days allowed him to appear, because, as the law says, such matters touch life and limb. But the law had begun to be altered as to several crimes, at least from the time of King *James I.* The statute concerning *spoliation*, or robbery, for example, made by the Earl of *Douglas*, Lieutenant, or Governor, in the minority of King *James II.* upon the xx. day of *December MCDXXXVIII.* restricted the term of appearance for that crime, to fifteen days, *the act of xl. days of old not gainstanding*, as it is there exprest. The term of summoning was also abridged by King *James III.* and in process of time it had become customary to cite people to be tried to answer for treason and other crimes, upon xv. days. The Lords of council did indeed find by their decision 11th *July 1515*, that the summons for treason should be upon xl. days warning : but at the time of *Bothwell's* trial, xv. days were reckoned sufficient, and, as I have been told, continued to be so ever since. The Earl of *Murray* and his associates, when they summoned the Earl of *Bothwell* to appear before them in their parliament, had strained hard to find something illegal or informal in the trial : And the first thing

thing which they snapt at, was the shortness of time, not indeed that it was not lawful to have given the citation upon xv. days, for that could not have passed, but that fifteen days did not interveen betwixt the day on which *Lenox* was summoned at a certain place, and the day on which he was to appear : For, as *Murray* says, equivocally and falsly ; *Lenox*, by authority of the Queen's letters subscribed at *Edinburgh* the xxviii. day of *March*, was summoned at *Edinburgh, Glasgow, Dumbarton, and Perth*, upon the xxix. and other days of that month, and of the month of *April* thereafter, to appear upon the xii. day ; not only, says he, within fifteen days, but even from the date, at least from the execution of these letters, there remained scarcely ten or twelve days. Whereas, by the copy of all these things as printed by themselves, the Queen's warrant was signed the xxvii. day of *March*, and the last summons was given at *Perth* upon the first day of *April*, and upon no other day or days of that month, as they would insinuate.

Supposing that the Queen's warrant was signed only upon the xxviii. and that the messenger did not proclaim it at *Edinburgh* before the xxix. day of *March*, there were still fifteen days *inclusive*.

But what is all this to the purpose in the

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present case? Even nothing at all. If the term was short, the Earl of *Bothwell* was the only person who had right and reason to make any exception on that account: For the old laws which prescribed xl. days, do expressly bear, that that length of time was allowed in favours of the defender: Which is agreeable to right reason: but as to the pursuer, the case is vastly different.

Thirdly, We are told that *Lenox* was summoned to appear the xiii. of *April*, without any convocation of his friends, besides his own family, which was become very thin, by reason of his great poverty: While in the mean time *Bothwell* went in parade through the city with great bands of men.

The reader, if he pleases, may consult the summons, as 'tis printed by these men themselves, at the end of honest *Buchanan's* detection; and try if he can find any such prohibition or restraint put upon the Earl of *Lenox*.

As to *Bothwell*, he was, before the Queen herself had the government in her hands, the the greatest civil and military officer in the kingdom; and for that reason, no doubt of it, must have had continually not a few in his retinue. But how was this to influence the trial? By a statute made in the Queen's own time, viz. in *June* 1555, the number of the pursuer's atten-

attendants at the bar had been restricted to four, and the number of the defender's attendants to six, under high penalties to be immediately inflicted by the court : And it is incredible that the Earl of *Bothwell* would have been so imprudent as to have exposed himself to these penalties ; or if he had wantonly done so, that the court would have neglected to inflict them, or even so much as to find fault with him ; which had been to expose themselves to censure and punishment.

The truth of the matter is, that the informalities and illegalities were all on the other side. In such cases, as the law then stood, it was incumbent on the accuser to come in person to give in his accusation ; and to find surety, or give his oath that he would pursue at the day appointed : It was also necessary that he should have some plain or reasonable foundation for his accusation, or else he was liable to suffer punishment himself. In the present case *Lenox* accused only by his letters nine persons by name : And that accusation, as is plain by his letters, had no other foundation than some painted papers which *James Murray*, brother to the laird of *Tulibardin*, had caused to be affixed privately upon the door of the tolbooth or session-house, in *Edinburgh*, accusing the Earl of *Bothwell*, Mr. *James Balfour*, Mr. *David Chatmers*,

black Mr. *John Spens*, Seignr. *Francisco Sebastian, Joseph* brother to *David Rizio*, and the Queen herself. Upon which a new proclamation had been issued, requiring the writer to subscribe his name, and he should receive his pardon, and also the reward which had been offered by the Queen's first proclamation. But *James Murray*, who wanted only to spread the party's scandal incognito, answered by pasting up another scandalous pasquil; and being at last detected to be the author, he thought fit to abscond; and the privy council published a proclamation that no man should transport him.

This *James Murray* was made collector of the customs by the faction, upon the xii. day of *August* that very year, after the Queen was shut up in prison in *Lochlevin*: But they never enquired after any one of the persons mentioned in his pasquils, the Earl of *Bothwell* only excepted; So far from it, that when they summoned the Earl of *Bothwell* on the first day of *October* 1567, they did not name those as accessory whom *James Murray* had named, no, not so much as one of them; but in their stead they summoned sixty two others, for no fewer were at first destined to be murdered or ruined, to palliate the guilt of those by whom they were cited to appear. But because it would have been found

found difficult to get so many gentlemen forfeited, without proving them guilty of the crime, they passed by fifty five of them absolutely: Nor is there any evidence specified in the act of forfeiture against the other seven, nor even against the Earl of *Bothwell*. When *Lenox* himself came to be Regent, he never pursued or accused any of the persons delated by *James Murray*, excepting Sir *James Balfour* only ^a, whom he forfeited as guilty of the King's murder, but without proof, according to his predecessor's method. Why should he not have made use of his trusty evidence *James Murray*, upon the authority of whose pasquils alone he had founded his accusation of the Earl of *Bothwell* ^b?

Never was there any thing more ridiculous, than to accuse a man upon the credit of such pasquils, set up secretly in the night-time, by one who would not appear or acknowledge them. Yet *Lenox* insisted by his letters to have the matter brought to a trial, and even would not have it delayed till the parliament should meet, which was to be upon the xiv. day of *April*. The Queen complied with his desire, and, by her letter directed to him the xxiv. of *March*, requested him to come to her to *Edinburgh* before hand.

^a See the preface to *Balfour's practicks*.

^b *Anderson's Collections*, vol. 2. p. 109. 111. 157.

hand : But he would not. Being therefore warned in the legal manner, and conscious that he had nothing to justify his accusation, he changed his mind, and would needs have the trial delayed. But did he apply to the Queen for that effect? By no means : he applied to the Queen of *England*, as is manifest by one of his letters in the paper-office at *London*. And the Queen of *England* wrote a very impertinent letter to Queen MARY, approving seemingly of her resolution to bring the matter to a trial, but at the same time telling her, ‘ That there might be some
 ‘ mystery or cunning in the matter, because
 ‘ the defunct gentleman’s father and friends
 ‘ desired the day to be prolonged, as know-
 ‘ ing that the ungodly were combined to-
 ‘ gether to do that by force, which by law
 ‘ they could not rightly bring to pass ; tax-
 ‘ ing her also with want of sincerity, and e-
 ‘ ven signifying right plainly, that she her-
 ‘ self was guilty.’ Whether this letter came to hand timeously, is not so easy to ascertain, for it bears a wrong date, *vis.* the viii. day of *January* ^a.

It may seem strange that *Lenox* should not have written to Queen MARY ; or that he should have written to Queen *Elizabeth*, who had been an open and declared enemy

to himself and his son, ever since they came to Scotland, had supported the men who had combined to slay them^a, and had kept his wife closely in prison, till some time after his son's murder. But the difficulty is removed, by a letter from secretary Cecil, dated the fifth day of *March*, 1566, where he acquaints us^b, ' That the Earls of *Argile*, *Morton*, *Arthol*, *Murray*, *Caitbness* and *Glencairn* did adhere together with the Earl of *Lenax*, who meant to be at *Edinburgh* very shortly, as they pretended, to search out the malefactors. That, as he heard, much unquietness was like to grow about that matter. The common speech, says he, toucheth the Earls *Bothwell* and *Huntly*, who remain with the Queen; but how true the accusations are, I will not take upon me to affirm the one, or the other; neither would I have you to utter any of these things, to condemnation of any of them, but as reports; not doubting but shortly God will cause the truth to be revealed.' Behold the religion and candour of this man, who had been acquainted with the design, and had promoted it^c from the beginning; yet he, like a pious christian, trusts in God! and desires, that in the mean time, it should only be reported

^a See Bp. Keith's hist. p. 344. & supra, p. 216.

^b Cabala, p. 137. ^c See above, p. 200. 207. 215.

ported of *Bothwell* and *Huntly*, that they did the thing which, he well knew, they did not. His friends, *Murray* and *Morton*, we see, having procured the son to be slain, were now become prime counsellors to the father, whom they not long before intended to have slain also : And so long as he would follow their advice, he would be heard at the court of *England* ; because he could not fail to be directed wrong, and set upon wicked projects and accusations of the innocent, thereby to draw a veil over the wicked deeds of those his new counsellors. The night before the trial he came to *Stirling*, and then only was pleased to write to the Queen, ‘ That he
‘ had but lately heard of the proclamations :
‘ That it was not in his power to keep the
‘ day appointed : For being presently on his
‘ journey, of set purpose and deliberate mind
‘ to keep the same, he was taken with such a
‘ disease, that he was in no condition to travel : Desiring therefore that the persons
‘ accused by him should be shut up in prison,
‘ and the trial postponed, till he should convene his friends, and find out evidence ;
‘ as also, that her Majesty would grant him
‘ her high commission, to take and apprehend
‘ such persons as he should get knowledge
‘ that they were at the cruel murder.’ Had the Queen complied, and granted these modest

self requests, she should have found all
 her true subjects of any note in the kingdom
 shut up in jails. At the same time he sent his
 servant *Robert Cuninghame* to attend the court
 in his name, not furnished with any evidence
 of the truth of his accusation, but with pro-
 testations that the court should not proceed,
 because he had no proof: And declaring the
 reason of his absence to be no disease, as he
 pretended in his letter to the Queen, but be-
 cause his friends and servants refused to ac-
 company him. By which it is evident, that
 his design was to decide the matter by no o-
 ther than club-law, and by making an in-
 surrection. And for this and no other end did
 he desire the Queen's high commission; by
 which he wanted to be fortified and enabled
 to cut off every person who had been destin-
 ed for slaughter, when *David Rizio* was
 murdered, and many more: For *Lenox* had
 joined in that conspiracy; and apparently
 had it more at heart at this time to pursue
 his old wicked schemes, than to find out who
 were the murderers of his son. The Earl
 of *Argyle* Justice-general, with advice of the
 Lords and Barons his assessors, found that the
 trial ought to proceed, because *Lenox*, by
 his own letters which were produced and read
 in open court, had desired short and sum-
 mary process in the matter; also in conside-

ration of the act of privy council, for that effect, and that the advocates insisted for the process to proceed according to the Earl of *Bothwell's* earnest petition. And as there was not one particular fact, or presumption, proved or alledged against *Bothwell*, either by the advocates, or by *Cunningham*, *Lenox's* servant, the jury did acquit him; protesting that, as they had done according to their knowledge, they should incur no pain or penalty of wilful error thereafter, on that account. Nevertheless *George Buchanan* thought fit to falsify and pervert the whole account of this matter, although he had the trial itself before him, as it was published by his associates, at the end of his own libel, called *the detection* ^a.

There still remains one objection to the fairness of this trial, namely, That the Earl of *Bothwell's* inditement was not true in one point, because in it the murder was said to have been committed on the ix. day of *February*, altho' in fact it was committed two hours after midnight, which in law was and ought to be truly accounted the tenth day: And thus the acquital was but cavillingly defended; and 'tis said, that the Earl of *Caithness* entered a protestation on that account. But there is no mention in the trial of any pro-

^a See Anderson's collections, vol. 2. p. 97.—114.

protestation to this purpose ; nor had the Earl of *Bothwell* the least occasion for that or any other subterfuge whatever.

The original record of the trial has not been seen, so far as can be discovered, for more than a hundred years bypast : We have it only as these men were pleased to give it in print, at the end of *Buchanan's detection* ; where indeed the murder is said to have been committed on the ninth day of *February* ^a. But seeing in the council-book, it is expressly said to have been done upon the tenth day, it is not easily to be believed that it was otherwise in the inditement originally : And any man who attentively considers the proceedings of these men, will conclude that the inditement hath been vitiated by themselves.

Certain it is, that in the depositions of *William Powrie* ^b and *George Dalgleish*, which it is pretended were taken by their privy-council, that is, by *Morton* and his fellows, that murder is said to have been committed on the ninth day of *February*, and on a *Sunday*, upon which day of the week, the ninth of that month did fall that year. Nay further, they themselves indited captain *Blacader*, for having been participant in the King's murder, upon the ninth of *February* ^c

c c c 2

And

^a Ibid. P. 103. 114. ^b Ibid. p. 165, 173.

And upon the xiv. day of *July*, they condemned him *, and put him to death, although he constantly denied that he was guilty, and altho' they had not so much as one witness against him.

In like manner also, notwithstanding that there is a false note subjoined to *Bothwell's* trial about the error in the day of the month; yet in the 20th leaf after that, they themselves repeat the same thing, as is to be seen in the first edition of *Buchanan's* detection in the *Scottish* language, and in all the editions of the *French* translation. At last they altered it from the 9th to the 10th day, in the edition printed at *St. Andrews*, in the year 1572. For these reasons 'tis more than probable, that they were the persons who did vitiate the word in *Bothwell's* inditement, for want of better grounds for cavilling.

But did not *Lenox* after this make some discoveries as to the murderers of his son? or, if he did not, how happened it that the Earl of *Bothwell* should afterwards have been accused and forfeited on that account; and what good evidence did they produce against him? Why truly *Lenox* never found or saw any kind of Proof against *Bothwell*, before he came to be Regent, besides *James Murray's* pasquils, or tickets, as *Lenox* calls them. Indeed

* Sir Ludovick Stewart's MSS. collections.

Indeed after he was Regent, he saw the letters
 to *Bothwell*, which his predecessor *Murray*
 had got forged, and the depositions of some
 of *Bothwell's* servants, which had been pro-
 cured much after the same manner; and to
 these things he trusted, or seemed to trust;
 and in gratitude to the Earl of *Murray*, for
 his service in that matter, he seldom menti-
 oned his name, without adding these words,
Who rests with God; till *Thomas Buchanan*
 who went as his ambassador to *Denmark*, for
 having the Earl of *Bothwell* delivered up,
 sent home a writing from that country, con-
 taining matter so very dangerous to the cause,
 that *Morton* and his colleagues being required
 to produce it at the court of *England*, found
 themselves obliged to say that they had sent
 it away, but promised to exhibit a copy of it,
 out of which, as they say in one of their letters,
 they omitted such things as they thought not
 meet to be shown^a. *Lenox* also omitted
 to enter this writing in his register; for it was
 not expedient that the whole contents should
 be known, unless to such adepts as were suf-
 ficiently instructed in their dark bloody mysteries:
 Whatever the contents might be, it is certain
 that after *Thomas Buchanan's* return, *Lenox*
 put off all further enquiry after *Bothwell* till
 another opportunity, and until he should have
 the

^a See their Letter, Append. p. 382.

the Queen of *England's* advice ^a. That Queen had very officiously pressed the King of *Denmark* by her letters, ever since the xxvii. day of *March* 1568, that he would send home *Bothwell* to *Scotland*, to be tried for the King's murder, promising and undertaking on the word of a Queen, that she should take care that he should meet with nothing but equity, and that every thing should be conducted with moderation and humanity; desiring that the Earl himself might depend upon it for certain, that she would take all the care and pains imaginable to have it so ^b. But the Earl was too well acquainted with her royal words and deeds, to trust her. By several letters written to *Demark* afterwards, she desired that for her honour, the Earl might be first sent straight to *England*, to be conveyed from thence to *Scotland*. By her letter in the year 1570, she desires that he might be thrust into prison, and bound in fetters, or rather sent home: For that it was in no wise honourable for a King to suffer the murderer of another King to stroll about at liberty

^a Quod ad Bothwellum attinet, quoniam ea de re responsionem serenissimae dominae Elizabethae, Angliae, Franciae et Hiberniae reginae, sororis ac consanguineae nostrae, quam ea de re certiores fecimus, expectamus, causam illam in aliud tempus differemus. *Lenox's register of Letters*, fol. 249.

^b See Robert of Gloucester's chronicle, p. 671.

liberty, and to live without dread of punishment. The last of her letters which I have seen to this purpose, is of the very same date with *Morton's* letter, about the writing that came from *Denmark*, containing matters so prejudicial to their cause ; and of such a nature, that *Morton* and his fellows durst not intrust the common post, or an ordinary messenger therewith, and were obliged to give a false copy of it ; to wit, the xxiv. day of *March* 1571. The King of *Denmark* had not been punctual in answering Queen *Elizabeth's* former letters on this head : And as no further correspondence can be found relating to this subject, there is some reason to think that Queen *Elizabeth* had received an answer prejudicial to the cause, to the same purpose with that which *Lenox* had received ; the contents of which were kept secret : But the consequence was, that some differences did immediately arise betwixt *Lenox* and *Morton* ; and Queen *Elizabeth* began to countenance the latter, and to neglect the former : of which he complains in a letter to *Cecil*, in the end of *July* 1571. ‘ For a-
‘ ny, says he, that have been, or are, favour-
‘ ers of the Earl of *Morton*, I find no separa-
‘ ration of them from me ; for that, as indeed
‘ I have given him good cause, he and his are
‘ at my devotion in the King’s service ; he
hath

' hath not been absent upon any such pre-
 ' tence, for I have very well rewarded him
 ' for his attendance, that he needs not find
 ' fault, nor to have recompence elsewhere.
 ' Yet have I found some haughtiness and self-
 ' seeking, more than needed, in the said Earl,
 ' by divers his dealings with me; which, I
 ' doubt, her Majesty's letters sent to him will
 ' aggravate and increase. For although, as I
 ' think, her Majesty, upon informations, had
 ' good meaning in the contents of her let-
 ' ters; yet surely, considering the nature of
 ' some here, it should have much better stead
 ' to make good agreement and obedience, to
 ' have countenanced me with her Majesty's
 ' commendation to the nobility, that they
 ' might have perceived that her highness
 ' would support me in my upright govern-
 ' ment, against any that should misuse me,
 ' &c.'

The King of *Denmark* did at last agree to
 send home the Earl of *Bathwell* (and that,
 as it would seem, with the Earl's consent)
 but first he required to have obligations from
 the Queen of *England*, and from the King
 and three estates of *Scotland*, that the Earl
 should meet with nothing but fair usage;
 and that these obligations should be sent a-
 gainst the xxiv. day of *August* MDLXXI.
 Now the King of *Denmark* could require no
 less

less either in honour or conscience. *Lenox* sent that King's letter to the court of *England* upon the xxv. day of *May* the year 1571, desiring that Queen *Elizabeth* would give such security as the *Dane* required; and asking her advice what he himself should do on that occasion^a. But the proposal was too just and reasonable to relish at the *English* court; who wanted to have had the nobleman delivered to them, without conditions, that they might murder him, either privately or publickly; and then we should have had a confession promulged in his name, both against himself, and against the Queen, worth a hundred of the silly confession, which he is said to have made in *Denmark*, but which was more probably made for him in *England*. The King of *Denmark* thus insisting to have security for his just treatment, and right usage, and being likely to cause see him get justice; the matter was dropt. This certainly must have given the King of *Denmark* a strange opinion of their justice and integrity: For they were left altogether inexcusable; and now it appeared that, whatever they had been pleased to give out, they did not think it expedient to give *Bothwell* even a second fair trial. So much for *Lenox's* discoveries.

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The

^a *Lenox's* register of letters, fol. 213. 235.

The parliament met upon the third day after the Earl was acquitted by his jury ; being the xiv. day of *April*, and upon the xix. day, he obtained a band subscribed by all the clergy and nobility, and probably by some other members present ^a, ‘ That as the Earl of *Bothwell* had been tried by his Peers, and honourably acquitted from the accusation which the Earl of *Lenox*, by his letters, had given against him, as guilty of the King’s murder ; and in consideration of the antiquity and nobleness of his house, and good services performed by him in defence of the Queen and kingdom ; they obliged themselves, and every one of them, upon their faith, honours, and truth in their bodies, as they were noblemen, and as they would answer to God ; That in case thereafter any manner of person or persons, in whatsoever manner, should happen to insist further, to the slander and calumnation of the said Earl, as participant *arte* and *parte* of the said heinous murder, whereof ordinary justice hath acquitted him ; and for the which he had offered to do his *devoir* by the law of arms ; they, and every one of

^b See Bp. Keith’s hist. p. 382. It would seem that Sir James Balfour did not take down all the subscriptions in his copy, but only the names of the great men. *Vid.* Append. p. 361.

of them, by themselves, and their kindred, friends, assistants, partakers, and all that would do for them, should take honest, plain and upright part with him, to the defence and maintenance of his quarrel, with their bodies, heritage and goods, against his private or publick calumniators, bypast or to come, or any others presuming any thing, in word or deed, to his reproach, dishonour, or infamy.

MOREOVER, they weighing and considering the present time, and how their sovereign, the Queen's Majesty, was now destitute of a husband ; in which solitary state, the common weal of the realm might not permit her highness to continue and endure ; but at some time her highness might be, in appearance, inclined to yield unto a marriage : And therefore, in case the former affectionate and hearty service of the said Earl done to her Majesty from time to time, and his other good qualities and behaviour, might move her Majesty so far to humble herself, as by preferring one of her native born subjects, to all foreign Princes, to take to husband the said Earl ; they and every one of them, upon their honour and fidelity, obliged themselves, and promised not only to promote, advance and set forward the marriage to be solemnized and completed

d d d 2

betwixt

' betwixt her Highness and the said noble
 ' Lord, with their votes, counsel, fortifica-
 ' tion and assistance, in word and deed ; at
 ' such time as it should please her Majesty to
 ' think it convenient, and how soon the laws
 ' should allow it to be done : But in case any
 ' would presume directly or indirectly, open-
 ' ly, or under whatever colour or pretence,
 ' to hinder, hold back or disturb the said mar-
 ' riage, they would on that behalf esteem,
 ' hold and repute the hinderers, adversaries,
 ' or disturbers thereof, as their common ene-
 ' mies : And notwithstanding thereof, they
 ' would take part with and fortify the said
 ' Earl to the said marriage, so far as it
 ' might please their sovereign Lady to allow ;
 ' and would therein spend and bestow their
 ' lives and goods, against all mortals, as they
 ' would answer to God, and upon their own
 ' fidelities and consciences : And in case they
 ' did in the contrary, never to have reputation
 ' or credit in no time thereafter, but to be ac-
 ' counted unworthy and faithless traitors.'

This band they subscribed at *Edinburgh*,
 the xix. day of *April* MDLXVII. being the
 last day of the parliament. The first part of
 it was indeed reasonable ; but the second part
 treasonable : Yet what remedy ! for the whole
 members present, whether friends or foes, did
 agree and subscribe.

Upon

Upon the xxii. day of the same month, ~~the~~ Queen went to *Stirling* to visit the Prince her son ; the Earl of *Bothwell* at the same time gave out that he was to prepare for an expedition to *Liddisdale*, to rectify disorders on the borders, over which he was Lieutenant ; and having assembled a thousand horsemen, all in armour, under that pretext, he went out at the western gate of *Edinburgh*, upon the xxiv. day of *April*, as if he had only intended to have met the Queen in her return from *Stirling*, but in fact to seize her person, and to make her his prisoner ; which he did at the *Foulbrigs* ^a, about half a mile west from the castle of *Edinburgh*, carrying her, together with some of the privy council, and others her attendants, first into *Edinburgh*, and that same night to the castle of *Dunbar*, of which he was governor : Where he detained her and them for about twelve days.

In the mean time his lady, *Jean Gordon*, sister to the Earl of *Huntly*, brought an action against him before Mr. *Robert Maitland*, Dean of *Aberdeen*, Mr. *Edward Henryson* Doctor of laws, two of the Senators of the college of justice, Mr. *Clement Little*, and Mr.

^a So Murray's act of forfeiture against Bothwell. Geo. Buchanan and others write, that he seized the Queen at Almon-water, and others seek the place to the west of *Linlithgow*, but all of them erroneously.

Mr. *Alexander Syme* advocates, Commissaries of *Edinburgh*, for a divorce on account of adultery, of which it was alledged he had been guilty with one of her maids called *Betty Crawford*: Which process was actually commenced before the Commissaries upon the xxix. day of *April*, and was pursued in the lady's name by Mr. *Henry Kinross*. For the Earl appeared Mr. *Edmund Hay*, and required and obtained his antagonist's oath *de calumnia*, that he had just cause to pursue that action: Which being done, he denied the libel. The Commissaries after having made a fashion of examining witnesses, gave sentence for the divorce upon the 3d of *May*. As the process cannot be found at present ^a; we are not enabled to judge of the evidence; but if it was sufficient, of which there is some doubt, it was the only crime that ever was made appear against *Bothwell*, before the rape of the Queen; notwithstanding all the obloquy that hath been cast on him since.

That very same day on which this sentence of divorce was pronounced by the Commissaries of *Edinburgh*, the Earl brought a reciprocal action against his wife, before the Archbishop of *St. Andrews* his court, for ha-

^b This account is taken from an abridgement of these processes in an old MS. belonging to Mr. David Falconer advocate,

having his marriage with her declared null and invalid, as having been contracted against the Canon Law, without a dispensation; because he and the lady were within the degrees by it prohibited, as being fourths of kin in a double respect. The Archbishop had directed his commission for this purpose to several ecclesiastical persons, or to any of them. Mr. *Archibald Crawford* Chanon of *Glasgow*, and parson of *Eglisbam*, and Mr. *John Mander-son* Chanon of *Dunbar* accepted of the deputation; and having examined witnesses, and gone through all the usual solemnities in order, they gave sentence upon the vii. day of *May*, declaring the marriage to be, and to have been null from the beginning, in respect of the parties *contingence* or proximity in blood, which debarred them from lawful marriage, without a dispensation obtained before-hand.

Matters being thus prepared, the Earl, still accompanied with a great force, brought the Queen to the castle of *Edinburgh*, of which he was governor, upon the 6th or 7th of *May*, where he kept her prisoner till the 12th day, pressing her majesty to comply with the desires of her whole parliament, in accepting him for her husband. All this while no man made the smallest attempt for her Majesty's deliverance, or shewed the least dissatisfaction, or dislike at *Bothwell's* proceedings.

ings, or even so much as enquired at their Sovereign, what she would have them to do ^a.

George Buchanan, a man who sold himself to forge and falsify, for palliating the unparalleled crimes of his party, quite confounds the order of every transaction at this period, bringing them all in topsy turvy, so as he might best shew them in a wrong light, and obscure the truth. But finding no way of justifying the subjects for neglecting so long to enquire about their Sovereign, he boldly affirms that they did so, while the Queen as yet was in the castle of *Dunbar*. ‘ In the mean time, says he, the more upright part of the nobility [that is *Morton* and his associates,] being assembled at *Stirling*, sent some persons to the Queen to enquire whether she was kept with or against her will ? For if she was there against her will, they would levy an army and set her at liberty. She received the message not without laughing, and answered, That it was true she was led thither contrary to her inclination, but was so civilly used, that she had small reason to complain of the former injury. Thus scoffing at the message.’ Would any body have expected so much of *Morton* and his companions ? or, can any one

^a See the Queen’s own account of this matter, in *Bp. Keith’s history* p. 388.

one believe it? In fact there was no such message sent by any body; and as for them, they never pretended to have done so; nor indeed could they; unless they had resolved to involve themselves in one contrariety more: for *George Buchanan* himself produced at *York* a warrant by the Queen, dated xix. of *April*, for subscribing the band which they gave to *Bothwell*, for furthering his marriage with herself*; after which a message of this kind was needless. That warrant had been by common consent delivered in keeping to the Earl of *Argyle*, as we are told by *George Buchanan* in his history: If so, I wish he had also told us how he himself happened to have it so ready at *York*.

The Queen finding herself thus kept prisoner in her own capital, and that no mortal bestirred himself on that account, but that all who formerly had been her friends and true subjects, as well as the old rebels and traitors, were engaged to *Bothwell*, as she had good reason to believe, both by their behaviour and hand-writings, and reflecting on the former conspiracies from which she had narrowly escaped she began to listen to his proposals of marriage: But because that marriage could not have been accounted valid, unless her Majesty should be at liberty, in appearance at least,

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Both-

Bothwell, with his friends, brought her upon the 12th of *May*, out of the castle of *Edinburgh* before the court of Session, and a number of others of the clergy and nobility, where she allowed of the Lords of the Session for sitting during her captivity ; and as to the Earl of *Bothwell*, she expressed herself much in the terms which *Buchanan* falsely makes her to have returned to his worthy Lords at *Stirling* ; and declared herself to be free, if we may believe the entry in the record of Session that day, which indeed came through very suspicious hands before it was recorded, as is evident from the note on its margin *.

But her Majesty had only a shew of liberty, till she created the Earl Duke of *Orkney*, and thereafter married him upon the xv. day of *May*. Their contract of marriage is to be seen in the Appendix, p. 57.

Although these proceedings of the Earl of *Bothwell*, and his behaviour towards the Queen, were most arrogant and presumptuous ; yet much might be said in excuse, as to his case in particular, which every man's own mind will readily suggest to him : For certainly these persons who subscribed the band for advancing him to that marriage, and defending and assisting him in these attempts, were far
more

more to be blamed than he : But the party who first joined in that band, and stood by till the marriage was over, and then rose up against him, were altogether inexcusable.

These shameless, unworthy and faithless traitors, as we are authorised to name them by their own subscriptions ^a, being conscious of their guilt in murdering the King, and dreading the discovery, and the punishment due to them on that account, had been ever after that meditating a new rebellion, being well assured of assistance from *England*. And for a pretence, immediately after this marriage, they set up their old sham, That their religion was in danger. All the establishment which it had till the parliament in *April* before, was an ordinance by the Queen, after her arrival out of *France*, That none should make innovation or alteration in the state of religion, as she found it then universally received. Which ordinance they stretched and extended so far beyond the original design of it, that they would allow no mortal to worship God but in their own way, no not privately. Under this oppression, some persons had applied to her Majesty, and obtained licences for the private exercise of their religion. This they gave out to be an infringement of the ordinance above mentioned, and

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began

^a See above, p. 366.

began to call to arms on that account. These rumours the Queen was pleased to refute, by a publick proclamation the xxiii. day of *May*, appealing to every person, whether she had ever done any thing to the subversion of their religion; reminding them, that in the last parliament she had abolished all penal laws, repugnant and prejudicial to that religion: And by this proclamation she revoked all such private licences as she had before granted. And thus was their groundless clamour about religion stifled.

Upon the xxviii. of *May*, her Majesty resolved to hold justice-courts upon the borders, and by publick proclamation, warned the nobility and gentry all around, to attend her at *Melrofs* upon the xv. day of *June*, to that effect. Upon which the godly party, as they called themselves, began to spread false rumours among the heedless and unthinking vulgar, 'That her Majesty meant to subvert the laws; to reject the counsel and assistance of her nobility; to handle all things without any discretion, against the ancient custom; and indeed that she neglected the health, preservation, sure custody, and government of her son the Prince.' These calumnies also she was pleased to refute by a publick proclamation

tion upon the fourth day of *June* ^a.

Such means having proved unsuccessful, a more expeditious project was soon concerted, namely, to surprise the Queen, and to make her prisoner once more. They had been forming their party for a long time, and were now become as strong as ever: For besides the Earls of *Morton* and *Glencairn*, the Lords *Lindsay* and *Ruthven*, *Kirkaldy* of *Grange*, and many others of less note, who had been in former conspiracies and rebellions; there were now also combined in this conspiracy the Earls of *Athol*, *Montrose* and *Mar*; the Lords *Hume*, *Sanquhar* and *Semple*; *Murray* of *Tullibardin*, *Ker* of *Cessford*, and *Scot* of *Buccleugh*.

Upon the 6th of *June* the Queen had gone to *Borthwick* castle, and next day the Duke of *Orkney* Earl of *Bothwell* rode to *Melrose*; by which means her Majesty was left with small company about her; and suddenly in the night-time the castle in which she lay was environed by the Lord *Hume*, with eight hundred men: But within a day or two she made her escape, and got safe to *Dunbar*, before the other conspirators could arrive to join with *Hume*.

Finding themselves thus disappointed, they held their general rendezvous at *Edinburgh*; and

and having found by experience, that to throw out calumnies against the Queen, so long as she was at liberty, would only tend to expose themselves; they put another face on the matter, and gave out by proclamation, ' that they were assembled for relieving the Queen's Majesty from the captivity in which she had been detained now for a long space of time; so that she neither was in a condition to govern her realm and subjects by the advice of the nobility, nor to take trial of that most cruel and abominable murder committed upon her late husband, their Sovereign *Henry Stewart* of good memory. To accomplish which ends, and to cause justice to be administered equally to all the subjects; to purge the realm of the infamy and slander, with which it was as yet calumniated among all nations, and to preserve the Prince's person from all who would invade him, they, as of their duty it appertained, were to run all hazard of danger or inconveniencies: And therefore commanded and charged all the subjects, and particularly the inhabitants of *Edinburgh* to assist them.' This a proclamation they published upon the xi. day of *June*.

The next day, it seems, they had got further intelligence, which they published by another

another proclamation, ' even that they under-
 ' stood that *James Earl of Bothwell* had put
 ' violent hands on their sovereign Lady's
 ' most noble person, shut her up in prison
 ' in the castle of *Dunbar*, and, by unlaw-
 ' ful means, seduced her to an dishonest mar-
 ' riage with him, and detained her as yet in
 ' captivity : And further, that they were as-
 ' SUREDLY INFORMED, that the same Earl,
 ' in order to bring about that marriage, was
 ' the principal author, deviser, and instru-
 ' ment of the King's murder.' They pro-
 ceeded also to confirm all these things by
 their own false argumentation ; that it well
 appeared to be so, because the Earl, when he
 had the Queen's person in his hands, caused a
 pretended divorce from his wife to be wrong-
 fully made ; and the process and sentences
 all begun and ended within two days *. They
 further added, ' That they were informed how
 ' that Earl was even then making some as-
 ' semblies of men, persuading them to assist
 ' him : Which they could interpret to be for
 ' no other end, than to commit the like murder
 ' upon the son, as was done upon the father :
 ' Whom they were minded to resist with all
 ' their forces, and to deliver the Queen out
 ' of the most miserable bondage ; and there-
 ' fore gave orders to summon the whole
 ' kingdom

to

* See above, p. 368, 369.

kingdom to their assistance, within four hours after the publication of their act, upon the pain to be treated as enemies.'

Upon the xiv. day of *June* the Earl of *Bothwell* brought the Queen from *Dunbar*, together with such forces as he had levied; and came that night to *Seton*. Next day being *Sunday*, the rebels marched out of *Edinburgh* with all the force that they could raise, or that the kirkmen could incite to join with them; but would not have dared to venture with all those, had they not got some accidental assistance, in this manner:

The King of *Denmark* was then in use to levy men in *Scotland*, to serve him in his wars, as the *Dutch* now do, and have done for many years past. Over these presided a *Scots* officer called *Coroner*; and one captain *John Clark*, an officer of some experience, but a man altogether faithless and immoral, then held that post. He had come to *Scotland* some time before, in order to levy some companies of soldiers, and three hundred gentlemen, for the King of *Denmark's* service; for which he obtained a licence from the Queen and Duke of *Orkney*: And when he had compleated his levy, and accoutred them, he joined with these rebels, to assist them not only with the men, but also with such quantity of the King of *Denmark's* money

as

as he had remaining in his hands ^a; and went along with them to *Carberry*: But when they came there, they did not find themselves so far superior in numbers as they had imagined; and therefore, instead of engaging suddenly, they chose to hearken to the mediation of *Le Crot* the French Ambassador; and in the mean time, as we are told, began to vapour, by challenging *Bothwell* to fight, not with any of their principals, but with any of two of their vain-glorious bullies, *Kirkcaldy of Grange*, or Lord *Lindsay*; whom they call undefamed, although they had been guilty of robberies, rebellion, assassinations and murders in cold blood. But the Queen would allow of no such determination of the matter; for however brave the Earl of *Bothwell* was, and how generally soever this method of trial had obtained; yet every body knows, it was at best a barbarous practice, and carried with it no manner of conviction: But to the ring-leaders of the rebellion, the issue of the combat was a matter of indifferency, if they were safe themselves.

f f f

At

^a Lenox's register of letters. This Clark with some of his subalterns, were, by their falsehoods, the authors of confining *Bothwell* in Denmark: but upon a fair hearing he was released, and Clark, with some others, thrust into prison; and one of them, called *Campbell*, had sentence of death pronounced against him; but Clark escaped by the earnest intercession of the Queen of England.

At last the rebels sent *Kirkcaldy* of *Grange* to the Queen, 'desiring her to cause the Earl of *Bothwell* to pass off the fields, alledging that he was suspected of the murder of her late husband, till that matter should be brought to a trial, and that she should pass with them, and use the counsel of her nobility, [by which word, in all their writings and histories they mean themselves only, altho' they were by far the smallest part, and most worthless;] then they would honour, serve and obey her Majesty, as their Princess and Sovereign.'

The Queen, who had actually been in captivity, and during that time had been constrained to consent to a marriage, to which she never seems to have been fully reconciled*, whatever has been said or sworn to the contrary, began to listen to the proposal: And *Kirkcaldy*, taking the Earl of *Bothwell* by the hand, desired him to depart, promising that no man should pursue him. When the Queen came to the rebels, *Morton*, in name of the rest, ratified the promise made by *Kirkcaldy*, and, addressing her Majesty with great reverence, used these words: 'Madam, here is the place where your Grace should be; and we will honour, serve and obey you, as

* See Bp. Keith's hist. p. 388.—394.

as much as ever the nobility of this realm did any of your predecessors.

Morton and his fellows had these their engagements thrown in their teeth at *York* by the Queen's commissioners^a; but never ventured to deny any part of them; yet their manner of fulfilling them, was by bringing her to *Edinburgh*, and treating her as she came along the streets with the greatest indignities that malice could invent, and encouraging the rude stupid mob to do the like. Then in the night time sent they her away privately and forcibly, and shut her up prisoner in *Lochleven*.

The next day they entered into a band or covenant, ' to assist one another in following forth their quarrel as they call it, until the authors of the cruel murder and ravishing should be condignly punished; the unlawful marriage dissolved and annulled; their Sovereign relieved of the thralldom, bondage, and ignominy which she had sustained by the Earl's occasion; the person of the innocent Prince reposed in full surety, and relieved of the imminent danger (say they) in which he now stands; and, finally justice restored^b, &c.

f f f 2

Now

^a Append p. 164.

^b See Bp. Keith's hist. p. 404. Anderson's collections, vol. 1. part 2. p. 134.

Now the Earl of *Bothwell*, whom they had in a manner dismissed yesterday, was by them charged with all these things ; and they inferred from his proceedings, that he was guilty in all these points ; For although in their proclamation of the xii. of this month, they positively affirmed that they were *assuredly informed* that he was the principal author and deviser of the murder ^a ; yet now we hear not one word of their information, nor at any time after ; for they thought meet to drop it altogether ; which no man will believe that they would have done ; and indeed they ought not, had there been any truth in the matter. And after this, who can give the least credit to any part of their proclamations ? And with what face could they cry out on the Earl of *Bothwell* as a ravisher of the Queen, and against his marriage with her, after their chief ring-leaders had subscribed the band above-mentioned ^b ? But did they not first get a warrant from the Queen herself, for subscribing that band, before they would consent ? And was not that very warrant produced at *York* ^c ? If it was so, there could be no rape, nor would there ever have been any shew of a rape ; because it would have been the most consummate folly and weakness

^a See above, p. 377. ^b p. 364. ^c Append. p. 87.
 149. Buchanan hist. xviii. 26.

ness to feign a rape after granting such a warrant. But the Earl's proceedings shew that no warrant was granted; they therefore stand manifestly convicted of the forgery of that paper. Thus, from the very nature of the thing, either their accusation of the Queen, or their accusation of *Bothwell*, must have been false: And if the latter was true, they themselves were accessories to the crime. Their argument too, concluding that *Bothwell* must have slain the King, because he married the Queen, is rather an affront to common sense, than any thing to the purpose: Although it must be acknowledged, that we hear it daily in the mouths of people, from whom better things might be expected; as if the Earl of *Bothwell* would have been less anxious to marry the Queen, if these men had murdered her husband, than if he had done it himself! or, as if no person would have married her, but he who murdered her husband.

Because they had no kind of proof, nor tolerable presumption against *Bothwell* beforehand, they endeavoured to supply that great deficiency by an after-game. Accordingly upon the xxvi. day of *June*, they published another proclamation, that no person should harbour or supply *Bothwell*; and, for a reason, they give this extraordinary piece of news:

news : ' That NOW, by just trial taken, he was found not only to have been the inventor and deviser, but the executer of the King's murder, with his own hand ; as his own servants, being in company with him at that unworthy deed, had testified . How this should be called a just trial, or why *Bothwell* should be said to have done that deed with his own hand, are points for which one cannot easily account . But this is evident, that whatever certainty of this matter they pretended by their publick proclamation to have received, they acted in private as if they had got none at all : For by the next following act of their pretended council, past that same day, they ' ordained *William Blackader* and three others, as suspected of the King's murder, to be put to the torture, for trial of the verity . ' None of these four had ever been accused by any of *Bothwell*'s servants ; and all of them stood out against their torture ; yet were they put to death, without having the crime made appear against them, either by their own confession, or by the testimony of witnesses . And this was found to be necessary ; after they had been tampered with and tortured, to

to make false confessions, lest they should have disclosed the secret.

Hence it is manifest from their own acts and deeds, that they served *Bothwell* much after the same manner as they served the Queen. They thrust her Majesty into prison upon the xv. or xvi. day of *June*, and justified the fact by letters which they pretended to have found on the xx. of that month; but which really were after that forged by themselves. And they had risen against the Earl on the vii. day of *June*, had proclaimed him guilty of this crime on the xii. day, and yet had no foundation for that accusation till the xxvi. day of that month: It is therefore altogether unreasonable to suppose, that these confessions were not procured in the same manner as the letters.

They produced in *England* the confessions or depositions of *William Powrie*, *George Dalgleish*, *John Hay* and *John Hepburn*, who had been servants or attendants on the Earl of *Bothwell*^a, by which every one of them, of their own free will, is made to confess his own and the Earl's guilt, very plainly and particularly, without any one witness brought against them, or without being confronted one with another, and without torture too, as it would appear. These depo-

^a Anderson's collections, vol, 2. p. 165.

depositions, in several paragraphs, agree so closely, and in the same words, although they were made at very distant times, that it is incredible that different persons, or even the same person at so distant times, should have told the same story, without greater variety in the expression; or that the clerk should have written them so, without having the one at hand when he wrote the other. And this is no better sign of their being genuine than their discrepancies as to several facts; which are very remarkable.

Although *Morton* and his fellows, in their proclamation, did affirm that *Bothwell's* servants had confessed 'that he was the executioner of that murder with his own hands;' yet in these confessions there is nothing like it, but only that he devised it, and they did it themselves; by blowing up the lodging with powder.

This powder being in a trunk and leather mail, was brought by *Powrie* and one *Patrick Wilson* from *Holy-rood-house* to the lodging, upon *Sunday* late at night, all at once, upon two horses, both belonging to the Earl, as *Powrie* swore the xxiii. of *June* ^a. And this he must have known as well as he knew, whether he went upon his head or his heels; and he confirms it by this token, that while they were deli-

^a Ibid. p. 166.

delivering the powder to *Ormiston* and others, the two horses had slipped away, and that he and *Wilson* carried the mail and trunk back again to the Abbey.

And yet being re-examined upon the third of *July*, he swears, that they carried up the powder at two several times, upon one horse, which did not belong to the Earl either, but to *Herman* his page : By the token too, that at the last carriage, he himself carried up an empty powder-barrel, so big, that it could not be got in at the door of a great lodging ^a.

It would seem that, after the first examination was over, it had been discovered either that the Earl had no horses in town at that time, or, that the people who had the care of them, could have attested that *Powrie* and *Wilson* had no access to them ; which occasioned this contradiction.

This powder had been brought to the Earl of *Bothwell*'s lodgings the day before, being *Saturday* the eighth of *February*, at night by *Hepburn* of *Bolton*, as *Powrie* swears ^b.

And yet it must have been brought five or six days before, all along from *Dunbar* ; yea, which is very strange, it was brought several days before *Bothwell* took any thought of using

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sing

sing it to that end ; for he had determined to slay the King in the fields ; and never changed that purpose till within two days before the murder, as *John Hepburn of Bolton* swears ^a.

Powrie swears, that he knew the contents of the trunk and mail to have been powder, because the same was in sundry pocks within the mail and trunk ^b.

But as *John Hay* and *John Hepburn* do swear, the powder, at least so much of it as was in the trunk, was taken out of it, and put in pocks after it was brought up : Now they were the persons who received it from *Powrie* and *Wilson*, and carried it to the King's house, and turned it out in a heap in the middle of the floor of the Queen's chamber ; and there they tarried till the Queen and her company, and the Earl of *Bothwell* among the rest, were gone to the Abbey of *Holy-rood-house* ; after which they set fire to the lunt ^c, and came away.

The Earl of *Bothwell*, 'tis said, after changing his cloaths, came back to the King's lodging, bringing along with him *Powrie*, *Dalgleish*, *Wilson*, and *Paris*. But no rational motive can be conceived, that might have induced the Earl to change his clothes, or to
return

^a Ibid. p. 183. ^b Ibid. p. 166. ^c Ibid. p. 180.
181. 183. 186.

return at all, when he had left two men behind him, and nothing to do but to set fire to the match : Or, if he would needs return, why should he have taken so many alongst with him ; unless it was for this very purpose, that they might bear witness that he was personally present ? However, in this all the depositions agree : let any man believe them who can.

A more extraordinary matter follows : For *John Hay* and *John Hepburn* do swear, that before the others came back they had fired the match, by which, in a short time after the Earl returned, the gun-powder, as it lay on the floor of the Queen's chamber, being kindled, did blow up the lodging in the air : And for that very reason these depositions or confessions must follow it, for they cannot possibly be true : Because the vaults and foundation-stones were blown in the air, with the rest of the lodging ; which, from the nature of the thing, could not have been effected by some powder laid in the floor of a room above the vaults ; but must have been the effect of a mine under ground : And that it was actually a mine, hath been made appear already, by sufficient records of that time ^a.

Some however are not to be convinced by

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records,

^a See above, p. 146, 328.

records, nor will believe any thing but what they find in their favourite historians. Such therefore may consult trusty *George Buchanan*, who will inform them, ‘That ^a **THEY** kept in their own custody the keys of two doors, one of them being the key of the lower room, where after they had undermined the walls, they filled the canals with gun-powder ^b.’ And, a little after. ‘The Queen slept two nights in the lower chamber. Marry she was afraid, says he, lest if the lower part of the lodging had stood empty, the noise made by the people digging the canals, or passage of the mine, and bringing the powder into it, should raise in some of the servants a suspicion of treachery.’

It is true indeed, that in what he calls his history, he tells another tale, namely, ‘that the same powder for blowing up the lodging was laid down in the lower chamber, where the Queen had slept some nights ^c.’ But how that which was a mine digged under the walls till the year *MDLXIX*. should have afterwards become the Queen’s chamber, let his

^a **THEY.**] That is, Paris, who, he tells us, kept the keys of the fore-door and back-door, which Bothwell had kept up. See his detection, c. 13.

^b See his action or pleading, c. 19. 20. Hist. lib. 18. c. 13.

His admirers explain. It is sufficient for the present purpose that it was at first a mine.

These things being so, what becomes of all their boasting of evidence against *Bothwell*? *Murray* began the accusation of his Sovereign in these words: ‘As *James* Earl of *Bothwell* was the chief executer of that horrible and unworthy murder; so was the Queen in the foreknowledge, counsel, device, persuader and commander of that murder.’ A man would almost be tempted to grant the whole of this, to wit, that the first part of the sentence was equally true with the last; because, for aught appears, there is no truth in either. And one might venture, I think, to advance the contrary, ‘that As *James* Earl of *Bothwell* was not the executer; so neither was the Queen the commander of that murder.’ At least it may well be inverted thus: That as the Queen was not the commander of that murder, and did not write the letters to *Bothwell* for that purpose; so neither is there any probability or reason to think that he was the executer, or even knew any thing of the matter.

If it shall be said, that setting aside the confessions of these persons above-mentioned, there are still too many evidences of *Bothwell*’s guilt remaining. Mr. *Carte*, from a letter of Monsr. de *Fenelon*, 5th January

1574, acquaints us, That *James Ormiston* of *Ormiston* confessed that the Earl of *Bothwell* shewed him a paper, subscribed by the Earls of *Argyle*, *Huntly* and *Morton*, Sir *James Balfour* and Secretary *Maitland*, promising him assistance in murdering the King : : And, from other authors, he mentions an octopartite deed, which they say was drawn up amongst these persons and others, to the same purpose.

'Tis hoped that none will expect to have the proof of a negative attempted; for let any other man, who was then in *Edinburgh*, be accused, and it will be found a difficult matter to shew at this distance of time that he was not guilty, unless these confessions could be supported; which cannot be done. As to *Ormiston's* confession, it is to be seen in Sir *Lewis Stewart's* collections. It is a paper drawn up by *John Brand* minister at *Holyrood-house*, much after the common form of dying speeches, but with more art. This *Brand* was afterwards one of the fabricators of *Morton's* confession^b. He has indeed put the names of all the persons mentioned in *Monfr. de Fenelon's* letter into *Ormiston's* dying speech, *Morton's* only excepted, who was then Regent; and therefore it was not to be expected

^a Hist. vol. 3. p. 531. ^b See the Append. to *Crawford's* memoirs, 2d edit.

pected that he would be ranked in this class by Mr. Brand. Morton pretended in his confession, that he durst not venture to punish *Archibald Douglas*, whom he knew to be guilty of the King's murder ; but he did venture to execute *Ormiston*, without a trial, which is no great sign of his guilt.

As to the octopartite deed, if it had ever appeared, it would doubtless have thrown some light upon this dark subject : But the vague tales of historians do not so much as prove that there ever was any such thing. It is certain that *Walsingham*, the *English* secretary, who surely had more opportunities of good information than many others, did mistake the band given to *Bothwell* for his marriage with the Queen, for a band to assist him in killing the King ^a ; and 'tis probable that there was no better foundation for the octopartite deed.

If it shall be objected, that it is a terrible thing to suppose that *Murray*, *Morton*, and the rest of them, would have been so extravagantly wicked, as to murder innocent persons so cruelly, and then to forge such confessions in their names : The answer is obvious, that they most certainly did so with *Nicholas Hubert*. They also put captain *Blackader* to death, without either evidence

^a See the preface to Balfour's practicks.

or confession *. They had entered into bands and associations for murdering people in cold blood ; and had openly fulfilled one of them, when they murdered *David Rizio*. They formed the conspiracy for murdering the King in the year 1565, while the Earl of *Bothwell* was yet out of the kingdom ; which we find them still pursuing in the end of the year 1566. This in *February* thereafter, they got effected : And then they forged eight letters, two contracts of marriage, besides a warrant and sonnets, in the Queen's name, and swore that they were of her writing, to make her to be esteemed the author of their own abominations. And as their own actions were prodigiously wicked, so likewise they patronized and defended others who had been guilty of the like crimes. Thus when Cardinal *Beaton's* relations and executors brought an action of assythment, for his slaughter, against *Kirkaldy of Grange*, one of his murderers, *Murray* and his pretended parliament in *August* 1568, scandalously discharged the Plea, ' because the Cardinal's slaughter, say ' they, was done for the common weal, and ' preservation of the FAITHFUL : And ' because the whole goods [in his castle] ' were seized by the *Frenchmen*, [who took it

* They were convicted, says Calderwood, but denied with obstinate denial. Hist. MS. But how were they convicted ?

* it from his murderers] by my Lord Governor's command, who had the authority for the time, &c.' And immediately, *Grange* entered a protestation, that nothing done by him in that castle, after the slaughter of the Cardinal, should be laid to his charge by the Cardinal's heirs thereafter.

All the while some of them well knew, and it is now a notorious fact, that the Cardinal was murdered at the instigation of K. *Henry VIII.* of *England*, who bribed the murderers to commit that deed; and to burn and destroy the Abbots, Bishops, and other kirkmens lands, &c. All which they did take in hand, and entered into a covenant with *Henry* for these purposes; and the first messenger for transacting this matter betwixt them and *Henry* ^a, was Dr. *George Wisbart*, commonly called the martyr.

These things are undeniably evident. And is it to be imagined that such men were more scrupulous in the case of *Powrie*, *Dalglish*, *Hay*, *Hepburn*, or *Ormiston*? If any person shall be of that opinion, let him only try his skill to shew that their confessions are true and genuine. Whoever he was that drew them up, he hath not always had before his eyes the difference betwixt day and night:

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For

^a Dr. Mackenzie's lives, vol. 3. p. 18. Haynes's state papers, p. 32.

For altho' all matters relating to that murder were transacted, according to them, about midnight the 10th of *February*, just after the change of the moon, yet are they all made to know one another, notwithstanding that they met without doors, in a dark night ; and, at parting, every one declares by which way the rest went, as if it had been at noon-day.

It is also carefully to be noted, that *Murray* and his party had before this, at six several times ^a, plotted to cut off *Botbwell*, and therefore it is surprising to think that they would have made him privy to such deep conspiracies : But that he should have been the executor in their stead, was only barely possible, but altogether improbable : Add to this, that they found great difficulty in getting a pretext to support their accusation of him, as we have seen already, p. 333.

They themselves, notwithstanding all that they had said and sworn against *Botbwell*, did not stick afterwards to lay the blame upon the Archbishop of *St. Andrews*, as also upon some of their own faction, such as secretary *Maitland* and Sir *James Balfour*. And both these did at last recriminate upon *Morton* ^b ; for *Murray* was then dead.

Secretary

^a Above, p. 190. 244. 303. Bp. Keith's hist. Append. p. 160. 167.

^b See the preface to Balfour's practick's.

Secretary *Maitland's* case is very singular. The Earl of *Lenox* had caused *Thomas Crawford*, the famous evidence, of whom before^a, to appear in *Murray's* council, and accuse the secretary of the King's murder; which he did in the end of *August* 1569, while the secretary sat at the council-table with the rest. Upon this *Murray* confined him, first in the castle of *Stirling*, and afterwards in the castle of *Edinburgh*; of which his friend *Kirkaldy* of *Grange* was governor; and appointed him to be tried on the xxiv. day of *November*. Against that day *Murray* had assembled a great convention at *Edinburgh*, and had *Morton* stationed at *Dalkeith* with three thousand men; which was all a sham. For when the secretary was to be brought down from the castle to undergo his trial, *Murray* adjourned it *sine die*, using a sophistical speech to this purpose:

‘ My Lords and Gentlemen; when ye enterprised the revenging of the King’s slaughter, I was in *France*: Thither ye sent to me, desiring me to come home, and take upon me the government. Ye caused me to take an oath, that I should revenge the murder of the King to the uttermost; and ye, on the other part, did swear to fortify me.

h h h a

‘ Now

‘ Now there is a gentleman accused of that
 ‘ murder ; and I purposed to take trial : But
 ‘ ye have conveened to hinder justice. There-
 ‘ fore ye shall understand that I will continue
 ‘ the day of law till another time. If he be
 ‘ clean, he shall suffer no harm : And if he be
 ‘ found guilty, it shall not be in your power
 ‘ to save him ^a.’ Thus he shifted the blame
 off himself, upon his associates ; and there
 was no more about that matter during his
 time.

Soon after *Murray* was shot at *Liulithgow*,
Morton assembles a numerous convention of
 almost the whole party, upon the xiv. day of
February ; and before them it was pleaded
 on the secretary’s behalf, ‘ That although
 ‘ he had been accused in the latter end of *Au-*
 ‘ *gust*, of being participant of the most odious
 ‘ crime of the murder of the King, by the
 ‘ publick accusation of a man without a man-
 ‘ date, or commission, and had been put in
 ‘ prison by the late Regent, where he had
 ‘ continued ever since ; yet that was not the
 ‘ true reason that moved the Regent and
 ‘ council to use him so ; but rather that they
 ‘ were then perswaded by the long whisper-
 ‘ ing and suggestion of the secretary’s private
 ‘ enemies, to conceive that he had trafficked
 ‘ for the overthrow of the King’s estate, and
 ‘ the

^a See Calderwood’s hist. MS,

the wrack and destruction of all the noble men, and honest men, who had entered in his quarrel: In both which, as God knew his innocence, so had he been, and presently was ready to make the same patent to the world, by undergoing the ordinary trial and judgment in such cases.' Then each of them being interrogated particularly, they all declared, that none of them knew him to be guilty of the murder, nor would accuse him, but believed him to be innocent, and innocently calumniated: And therefore did acknowledge and recognise him as an honest innocent of these matters, and accepted and received him again into his own rank and office.

Nevertheless he was forfeited that same year, for that very crime by *Lenox*, when he came to be made Regent; for which he blamed *Morton*. And after *Morton* was set up as Regent, secretary *Maitland* wrote a letter to the young laird of *Carmichael*, to be communicated to *Morton*, in which he charges him with ingratitude. 'He was, says the secretary, the chief procurer and solicitor of my pretended forfeiture, for a crime, whereof, he knows in his conscience, I was as innocent as himself:' By which expression, he certainly meant that they were both guilty:

ty: And so *Morton* well understood him; for he answers in these words: 'Towards his forfeiture, says *Morton*, when it shall be considered, who then had the government; for what cause the forfeiture passed; I think they will not esteem me the chief procurer or solicitor thereof: For the Earl of *Lenox*, then Regent, having the administration of justice in his hands, and the cause being the murder of the King his son, it might be well thought that there needed little procuration or solicitation. That I knew him innocent, in my conscience, as myself! The contrary thereof is true: For I was and am innocent thereof; but could not affirm the same of him, considering what I understood of that matter, of his own confession to myself^a before.' Behold the man who had got this very person declared innocent in *February 1570*!

When the castle of *Edinburgh* was surrendered in the year 1573, the secretary fell into *Morton's* hands; who not daring to execute him publicly, caused him to be poisoned.

Now seeing it hath been made appear already, that the Earl of *Murray* was the principal projector of that murder^b, in the year
1565

^a Banantyne's continuation of Knox. Calderwood's hist. MS. ^b p. 202.

1565, and that he still pursued the design till it was accomplished ^a: And as these letters do make it plain that *Morton* and secretary *Maitland* were also guilty; and that if they were not present themselves, yet *Archibald Douglas* and *John Binning* were sent by some of them, and actually present at the execution of that wicked deed; as also that *John Knox* appears to have been a participant with the rest of them ^b: And indeed so far as the matter can be traced with any certainty and consistency, that both the contrivance and execution appears to have been the work of men of their party only: Most reasonable it seems to be, that the whole should be ascribed to them. And thus the story will proceed uniformly, without either embarrassment and inconsistency; or the assistance of the rack, or any torture or forgery; vouched by their own voluntary confessions or writings; and exactly suiting their character. Whereas in the accounts commonly received, it is quite contrary. All *Murray* and *Morton's* declarations, proclamations, oaths, acts of council and parliament concerning this matter, are founded on manifest falsehood, and inconsistent among themselves. *Bothwell's* men are made to confess things inconsistent and impossible. Their confessions as to the persons

persons present cannot be true, since *Archibald Douglas* and *John Binning* were at that murder. The thing was done by springing a mine, which required some time for preparation, and not as they swear, by setting a match to powder thrown suddenly and carelessly in a heap, upon the floor of an upper chamber. Finally whatever becomes of their confessions, the guilt of *Murray*, *Morton*, *Lethington*, *Archibald Douglas*, and *John Binning* is evident. But one cannot fail to perceive, that they must have had many more assistants, for example, some persons to dig the mine, concerning which there is nothing to be found in the pretended confessions of *Bothwell's* servants.

C H A P. XII.

*Of the Queen's flight into England,
and her usage there.*

QUeen MARY made her escape out of *Lochlevin* upon the second day of *May* 1568, after she had been detained in prison there, near eleven months. The company that assembled to her were waylaid by her rebels, and worsted in an engagement at *Langside*, upon the xiii. day, chiefly through the ill conduct, to say no worse, of the Earl of *Argile*; and upon the xvi. day of that same month, she set out from *Dumfries* in a boat, and landed at *Wirkington* in *England*; unadvisedly indeed, but not so far so as is commonly thought; for she had been encouraged by Queen *Elizabeth* and her ministers to do this. There is in the paper-office at *London*, a minute of a letter from Q. *Elizabeth* to *Throckmorton* her ambassador, dated xiv. day of *July* 1567, in which she desires him to invite Queen MARY and her son also into *England*; ‘because her realm appeared to
‘be subject to fundry troubles from time to
‘time; and thereby, as it was manifest, nei-
‘ther her own person free from danger, nor
‘her

‘ her son : If she should be contented herself
 ‘ to enjoy quietness, she should be glad to
 ‘ shew to her and hers the true effect and
 ‘ fruit of friendship. And though percase,
 ‘ for her own part, she would think it against
 ‘ her estimation and credit, to forsake her own
 ‘ country for any respects, yet says *Eliza-*
 ‘ *beth*, she may be by you remembered how
 ‘ much good may ensue to her son, to be nou-
 ‘ rished and acquainted with our court.’

The words of this minute concerning *Q. MARY* herself, have a dash through them, and other words are added by *Cecil's* hand, about sending her son : With what view, it is not easy to determine ; but it appears from other vouchers, that she was encouraged by *Throckmorton* and others to go to *England* ; and the day before she escaped out of *Locklevin*, she wrote to *Q. Elizabeth*, about a ring, that she had got in exchange from *Elizabeth*, with many fair promises, which she had sent to *Robert Melvill* privately ^a. It appears also from other vouchers, that *Elizabeth* had sent her a diamond, with promise of assistance ^a.

Very soon after she had landed in *England*, *Murray* made an offer to accuse her of the murder of her husband ; and, on that

^a Haynes's state papers, p. 464. Answers to Queen Mary's grievances, Cotton. libr. April 1583.

that condition, *Elizabeth* engaged to fortify and protect him in the government of *Scotland*. With much ado they persuaded the Queen of *Scots* to consent to a hearing of the differences betwixt her and her rebels : But after many protestations that all was meant for her advantage, for restoring her to her crown and kingdom, and for her security thereafter, she at last consented, and commissioners were appointed on all hands. Their transactions are printed at full length in the second volume, which will give more satisfaction to the curious, than any thing that might be said about them. The key to them is, the bargain betwixt *Q. Elizabeth* and *Murray*, of which the introduction to this volume doth treat briefly. If one keeps that always in mind, he can hardly be at a loss to perceive the drift of the little arts and prevarications used by Queen *Elizabeth* and her ministers, to make *Murray's* forgeries to pass for Queen *MARY's* writings ; the unreasonable evasions used to keep these vile forgeries from the view both of Queen *MARY* and her commissioners ; and the pitiful shifts and great pains taken to stave off her accusation of *Murray* and *Morton*, for murdering her husband ; and to let them escape, under some sort of colourable pretence. There one will clearly see the mean dastardly behaviour

of these men, who, when they were challenged and openly accused of that odious crime by their Sovereign's commissioners, durst not venture to have that matter examined, out of meer consciousness of guilt ; nor had they any thing to say for themselves, but, ' that they would go to *Bowton* to the Queen herself, to see whether she would accuse them : Which, they said, they believed she would not do : ' Altho' they had her commissions for that purpose before their eyes. *G. Buchanan* was present, and heard and saw all these things : And by comparing the record of the transactions of that day, which was the xi. of *January*, with the account that he gives in his history, Book xix. chap. 24. we have one glaring instance more of his shameless falsifications. The truth is, that *Murray* and his party did in fact lose the cause at these conferences, notwithstanding all Queen *Elizabeth's* efforts in their favours, altho' *Buchanan*, and after him *James Anderson* have imposed upon the world, by representing the matter otherwise : And the issue of them was rather better than was to have been expected, when an adulterous bastard, who had seized the government of one of her kingdoms, was her accuser, before an umpire in the same condition, who had been put in possession

possession of two other kingdoms, which also of right belonged to her only.

Queen *Elizabeth* finding that she could not get matters so much to her mind as she at first expected, thought fit to dismiss *Murray*, with five thousand pounds as a reward in the mean time for his forgeries and perjuries, and an order to her wardens of the marches, for the safety and protection of his worthy person and train. But Queen *MARY*'s commissioners were detained a good while, upon false and frivolous pretences.

It remains to shew the Queen's usage in *England*, and the many indignities that were done to her, during her confinement there, for near nineteen years. How in the year 1584, an association was made in *England*, for defence of the Queen's person, as they said, but in fact to murder their true Queen; in which they bound themselves by oath, that if any attempt should be made upon Queen *Elizabeth*'s life; by which any person [Q. *MARY*] might be advanced to the throne; why, in revenge of this, they would murder *MARY*. This association was ratified by their parliament the year following. Then they sent out their emissaries, to inveigle some unwary, persons into some sort of practises; and it seems did so; but nothing like the absurd accounts that they gave out, of
inva-

invasions, killing *Elizabeth*, &c. For what madness would such undertakings have been in fourteen ordinary *Englishmen*? However they put them to death; and then, following the example of the Earl of *Murray*, they forged some letters of correspondence betwixt Queen *MARY* and *Anthony Babington*, one of these pretended conspirators. Thus they thought the ends of their association sufficiently compassed. They discharged her servants, seized her two secretaries; and, by their information, such money as she had in her hands, which was only about 7000 *French* crowns, and little more than two thousand pounds *English* money; for the rest was in the *French* ambassador's hands. They tampered with her secretaries, and, for fear of death, made them attest some letters, none of them of any consequence, excepting that to *Babington*, which carries in it gross marks of forgery. Yet we are told that *Babington* and her secretaries had acknowledged that letter. But what could they acknowledge? The *English* ministry produced a copy, but never pretended to have had the original. Nor had they the courage to affirm at their mock trial of the Queen, that her secretaries had acknowledged that copy. For *Elizabeth* sent a great number of the *English* nobility and gentry to bring the Queen to

a trial. These murderers met at *Fotheringay*, upon the xii. day of *October*, and after a confused rhapsody of idle tales and allegations, without any tolerable proof, condemned her to die, in terms of their holy association.

This being done, that the nation, in a manner, might be involved in the guilt of the murder, the parliament assembled; and to them Sir *Thomas Bromely* Chancellor, rehearsed a long winded story about *Anthony Babington's* conspiracy, and Queen *MARY's* concern therein. But as *Bromely*, it would seem, was not so conversant in their plots, as to make their foolish incredible stories hang together tolerably, old *Cecil* resumed the matter some days thereafter. Then *Elizabeth* was addressed by petition upon petition from her parliament, to murder *MARY*. But she thought by her flattering letter to her most faithful *Amias Pawlet*, and by plain commands to him from both her secretaries, in her name, to get *Pawlet* to murder her privily, as being bound to do so by his association oath; thus imagining to turn the blame from herself upon him. But neither *Pawlet*, brutal as he was, nor *Drury*, would be perswaded; for they well knew their danger. She therefore called them dainty fellows, who would profess much, but perform nothing, altho', as she said, they were bound

bound by their oath to put that Queen to death. Therefore she signed a warrant herself for the murder, and when that was over, laid the blame upon *Davidson* one of her secretaries, and swore that she knew nothing of the matter.

To represent all this wickedness and chicanery in a clear light, to canvass the mock trial, and to shew the barbarous carriage of the murderers, and the Queen's heroic behaviour at her death, might perhaps prove useful: For some people finding these things represented in a light quite favourable to *Q. Elizabeth*, have been tempted to bear a hand in the like actions once and again, since that time. And as all the stories invented against *Q. MARY's* honour, and carefully dispersed by *Q. Elizabeth*, have been shewn to be vile calumnies, it were no difficult matter to re-erminate, and to shew that *Q. Elizabeth* practised all these things herself, so far as one in her situation possibly could^a, with many more illaudable actions of divers kinds. But as this would take up a small volume, it must be deferred till another opportunity.

After they had murdered the Queen, not yet satisfied with inventing falsehoods concerning her, they gave out, that she had left her right to the crown of *England* to the King of *Spain*,
by

^a See Haynes's state papers, &c.

by her testament written with her own hand, the night before she was murdered: How truly, doth well appear from the testament itself, which follows.

L E

TESTAMENT

E T

DERNIERS PROPOS

D E L A

ROYNE D'ESCOSSE.

AU NOM DU PERE, DU FILZ, ET
DU S. ESPRIT.

IE MARIE par la grace de DIEU Royne d'Escoffe, douairiere de France, estant pressée de mourir, & n'ayant moyen de faire mon Testament, j'ay mis ces articles par escrit, lesquels j'entends & veux avoir mesme force que s'ils estoient mis en forme.

Protestant premier, de mourir en la Foy Catholique, Apostolique, Romaine.

k k k

Premier

Premier, je veux qu'il soit fait un service complet pour mon ame, en l'Eglise Saint Denys en France, & l'autre à S. Pierre de Rheims, où tous mes serviteurs se trouveront en la maniere qu'il sera ordonné par ceux à qui j'ay donné la charge icy dessoubs nommez.

Plus, qu'un obit annuel soit fondé, pour prier Dieu pour mon ame à perpetuité, au lieu & en la maniere qu'il sera advisé le plus commode :

Pour à quoy fournir, je veux que mes maisons de Fontaine-Bleau soient vendues, esperant qu'au surplus que le Roy m'en aydera, comme par mon memoire je le requiers.

Je veux que ma terre de Trespigny demeure à mon cousin de Guyse, pour une de ses filles, s'y elle vient à estre mariée en ses quartiers. Je quitteray la moitié des arrearages qui me sont deubs, ou une partie, à condition que l'autre soit payée, pour estre par mes executeurs employée en aumosne annuelle : Pour à quoy mieux pourvoir, les papiers seront recherchez & delivrez selon l'assignation, pour en faire la poursuite.

Je veux aussi que l'argent, qui se retirera de mon procez de Secondat, soit distribué comme il s'ensuit.

Premierment, à la descharge du paiement de

de mes debtes, & mandemens cy apres nommez, qui ne feront ja payez.

Premier, les deux mil eſcuz de Coutlé, que je veux luy eſtre payez, ſans nulle contradiction, comme eſtans en faveur de mariage, ſans que Nau, ny autre, luy en puiſſe rien demander, quelque obligation qu'il en aye, d'autant qu'elle n'eſt que feinte, & que l'argent eſtoit à moy, et non emprunté, lequel je ne feis que luy monſtrer, & l'ay depuis retiré; & me l'a on pris avec le reſte à *Chartelay*, lequel je luy donne s'il le peut recovrir, comme il a eſté promis, pour payement des quatre mil francs promis par ma mort, & mil pour marier une ſienne ſœur, & m'ayant demandé le reſte pour ſes deſpens en priſon.

Quant à l'aſſignation de pareille ſomme à Nau, elle n'eſt pas d'obligation, & pour ce a tous-jours eſté mon intention, qu'elle fuſt la dernière payée, & encôres en cas qu'il faſſe apparoir n'avoir faiët contre la condition pour laquelle je les luy avois donnée, au teſmoignage de mes ſerviteurs.

Pour la partie de douze cent eſcus qu'il m'a faiët allouër par luy empruntez, pour ſervice de Beau-Regard, juſques à ſix cens eſcus, & de Gervais trois cens, & le reſte je ne ſçay, dont il faut qu'il les repaye de ſon argent, & que j'en ſois quitte, & l'aſſignation caſſée, car je n'en ay rien receu, mais eſt le

tout en ses coffres, si ce n'estoit qu'ils en soyent payez. Par deça (comme que ce soit) il faut que ceste partie me revienne bonne, n'ayant rien receu, & s'y elle estoit payée, je dois avoir recours sur son bien.

Et plus je veux que Pasquier compte les deniers qu'il a despensez & receuz par le commandement de Nau, par les mains des serveurs de Monsieur Chasteau-Neuf l'ambassadeur de France.

Plus je veux que mes comptes soyent ouys, & mon Thresorier payé.

Plus que les gages & parties de mes gens, tant de l'annee passée que de la presente, soyent tous payez avant toute autre chose, tant gages que pensions ; hors-mis les pensions de Nau & de Courlé, jusques à ce que lon sçache ce qui en doit advenir, & ce qu'ils auront merité de moy pour pensions, si ce n'est que la femme de Courlé soit en necessité, ou luy mal traicté pour moy. Des gages de Nau le mesme.

Je vieux que les deux mil quatre cens francs qui j'ay donnez à Jehanne Kennedy luy soyent payez en argent, comme il estoit porté en son premier don, quoy faisant la pension de Guillaume Duglas me reviendra, laquelle je donne à Fonteny pour ses services & despens non recompensez.

Je veux que les quatre mil escus de ce
Bancquier

Bancquier soyent sollicitez & repayéz, duquel j'ay oublié le nom; mais l'Evesque de Glasgow s'en resouviendra assez; & si l'assignation premiere venoit à manquer, je veux qu'il leur en soit donné une sur les premiers deniers de Secondat.

Les dix mille francs que l'Ambassadeur avoit receu pour moy, je veux qu'ils soyent employez entre mes serviteurs qui servent à present : Asçavoir ; premier, deux mil francs à mon Medicin, deux mil à Elizabeth Curle, deux mille francs à Sebastien page, deux mil à Marie page ma filiole. A Beau-Regard mil francs, à Monbray mil francs. Mil à Gorgeon, mil à Gervais. Plus sur les autres deniers de mon revenu, & reste de Secondat, & de toutes mes casualitez, je veux estre employez cinq cens francs à la misericorde des pauvres de Rheims, à mes Escoliers deux mil francs, au quatre Mandiants, la somme qu'il semblera necessaire à mes executeurs, selon les moyens qui se trouveront.

Cinq cens francs au Hospitaulx.

A l'Escuyer de Cuisine Martin, je donne mil francs.

Mil francs à Annibal, & je laisse à mon cousin de Guise son parrain, à le mettre en quelque lieu pour sa vie en son service.

Je laisse cinq cens francs à Nicolas, & cinq cens pour ses filles quand il les mariera.

Je laisse cinq cens francs à Robin Hamilton, & prie mon fils le prendre, & Monsieur de Glascou, faulte de luy, ou l'Evesque de Rosse.

Je laisse à Didier son greffe sous la faveur du Roy.

Je donne cinq cens francs à Jean Laudor, & prie mon cousin de Guise, ou du Maine, le prendre en leur service, & à les Messieurs de Glascou & de Rosse qu'ils ayent soing de le voir pourveu: Je veux que son pere soit payé de ses gages, & luy laisse cinq cens francs.

Je veux que mil francs soient payez à Gourjon pour argent & autres choses qu'il m'aournies en ma necessité.

Je veux que si Bourgoing accomplist le voyage du veu qu'il a fait pour moy à S. Nicolas, que quinze cens francs luy soient liurez à cest effect.

Je laisse, selon mon peu de moyen, six mil francs à l'Evesque de Glascou, trois mil à celui de Rosse.

Je laisse la donaison des casualitez & droits Seigneuriaux receptes, à mon fillol, fils de Monsieur de Ruisseau.

Je donne trois cens francs à Laurens, plus trois cens francs à Susanne.

Je laisse dix mil francs entre les quatre parties.

ties qui ont eſté reſpondants pour moy, & au ſolliciteur parmy.

Je veux que l'argent provenant des meubles que j'ay ordonné eſtre venduz a Londres, ſoit pour defrayer le voyage de mes gens juſques en France.

Ma coche je la laiſſe pour mener mes filles, & les chevaux pour les vendre, au autrement en faire leurs commoditez.

Il y à environ cent eſcus des gages des années paſſées, deubs à Bourgoing, que je veux luy eſtre payez.

Je laiſſe deux mil francs à Melvin mon maïſtre d'Hoſtel,

J'ordonne pour principal executeur de ma volenté, mon couſin le Duc de Guyſe, & apres luy l'Archeveſque de Glaſcou, l'Eveſque de Roſſe, & monſieur de Ruiſſeau mon Chancelier.

J'entends que ſans faulte que Le Preau jouyſſe de ſes deux prebendes.

Je recommande Marie Page ma fillole, à ma couſin madame de Guyſe, & la prie de la prendre à ſon ſervice, & à ma tante de Saint Pierre, de faire mettre Moubray en quelque bon lieu, ou la retenir en ſervice. Pour l'honneur de DIEU faiſt ce jourd'huy, ſeptieſme Feurier, Mil cinq cens quatre-vingts ſept.

MARIE R.

ME

*MEMOIRE des dernieres requestes
que j'ay faictes au Roy.*

De me fair payer, tant de ce qu'il me doit de mes pensions, que d'argent avancé par la feuë Royne ma mere en Escosse, pour le service du Roy mon beau Pere en ces quartiers, pour le moins tant qu'un obit soit fondé pour mon ame, annuel, & que les aulmosnes & petites fondations par moy promises soyent parfaites.

Plus, qu'il luy plaise me laisser la jouissance de mon douaire un an apres ma mort, pour recompenser mes serviteurs.

Plus, s'il luy plaist laisser les gages & pensions d'iceux leur vie durant, comme fut faict aux officiers de la Royne Alienor.

Plus, je luy supplie recevoir mon Medicin à son service, comme il à promis, & l'avoir pour recommandé.

Plus, que mon Aulmosnier soit remis en son estat, & en ma faveur pourveu de quelque petit benefice, pour prier Dieu pour mon ame le reste de sa vie.

Plus, que Didier un vieil Officer de ma bouche, auquel j'ay donné un Greffe pour recompense, en puisse jouyr sa vie durant, estant ja fort aagé. Faict le matin de ma mort, ce Mercredy huictiesme Feurier, Mil cinq cens quatre-vingts sept.

MARIE R.

